

27 OCTOBER 1947

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EXHIBITS

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3218		3365	Tables 1 to 10, re Article 27 of the War Ministry General Affairs Regulations		31769
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Of

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(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidenc</u>
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2239-A		3371	Affidavit of TAKEBE, Rokuzo		31834

Monday, 27 October 1947

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

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7 The Tribunal met, pursuant to adjournment,  
8 at 0930.

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Appearances:

For the Tribunal, all Members sitting, with  
the exception of: HONORABLE JUSTICE R. B. PAL, Member  
from India, not sitting from 0930 to 1600.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

-- --  
(English to Japanese and Japanese  
to English interpretation was made by the  
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present  
4 except OSHIMA and SHIRATORI who are represented  
5 by counsel. We have a certificate from the surgeon  
6 of Sugamo Prison that SHIRATORI is ill and unable  
7 to attend the trial today. The certificate will be  
8 recorded and filed. With the permission of the  
9 Tribunal the accused OSHIMA is absent from the  
10 courtroom conferring with his counsel and will be  
11 absent for the whole of the session.

12 Colonel Mornane.

13 - - -

14 N A O I C H I K A W A H A R A, called as a witness  
15 on behalf of the defense, resumed the stand  
16 and testified through Japanese interpreters  
17 as follows:

18 CROSS-EXAMINATION

19 BY COLONEL MORNANE (Continued):

20 Q Witness, on page 1 of your affidavit you  
21 say that you managed the affairs of the Minister's  
22 Secretariat by order of the Minister as a senior  
23 of the Adjutant Department.

24 (The witness spoke in Japanese)

25 COLONEL MORNANE: Perhaps the witness

1 could be handed exhibit 3348, if the Tribunal  
2 pleases. It was put in on Friday.

3 THE MONITOR: Japanese court reporter.

4 (Whereupon, the Monitor spoke in  
5 Japanese)

6 THE INTERPRETER: The witness answered "yes."

7 Q In the meantime, Witness, Article 2 of  
8 the War Ministry General Affairs Regulations  
9 provided that the affairs of the Ministry should  
10 be divided among the bureaus and the Minister's  
11 Secretariat, is that not correct?

12 A Yes.

13 Q And it was further provided that unless  
14 otherwise provided, the Minister's Secretariat  
15 should take charge of the management of the  
16 ministries, is that so?

17 A Yes, as you say.

18 Q So, in effect, unless specific provision  
19 was made, your secretariat had charge of all of  
20 the affairs of the War Ministry.

21 A The actual handling of the various affairs  
22 and business was done by the various competent  
23 bureaus themselves, but after these affairs were  
24 handled by the various bureaus, the final co-ordination  
25 was done by the Minister's Secretariat.

1 Q But, in addition, the bureaus only handled  
2 matters specifically allotted to them, is that not  
3 so?

4 A Each bureau carried out its duties as  
5 defined in the Ministry Regulations.

6 COLONEL MORNANE: Now, could the witness  
7 be shown exhibit 3348, please.

8 (Whereupon, a document was handed  
9 to the witness.)

10 Q They are excerpts of the regulations to  
11 which you refer, are they not?

12 A Yes, they are.

13 Q Now, Witness, I want you to look at IPS  
14 document No. 3218.

15 (Whereupon, a document was handed  
16 to the witness.)

17 Q I think you will find the certificate on  
18 the back of it.

19 A Yes, I can find it.

20 Q Now, I suggest to you that that document  
21 consists of Tables 1 to 10, referred to in Article  
22 27 of the War Ministry General Affairs Regulations.  
23 Is that so?  
24

25 A Yes, that is so.

COLONEL MORNANE: If the Tribunal pleases,

1 I wish to put these tables in. They are the  
2 tables omitted from my friend's exhibit 3348,  
3 about which we spoke on Friday.

4 THE PRESIDENT: Mr. Howard.

5 MR. HOWARD: We have no objection, your  
6 Honor.

7 COLONEL MORNANE: Unfortunately, I am  
8 not at the moment in the position to provide the  
9 Tribunal with the translation of the document, nor  
10 the defense with Japanese copies. But I will  
11 undertake to do so as soon as the document has  
12 been translated and processed.

13 I tender in evidence IPS document 3218.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution document  
16 3218 will receive exhibit No. 3365.

17 (Whereupon, the document above  
18 referred to was marked prosecution exhibit  
19 No. 3365 and received in evidence.)

20 Q Now, under those tables, Witness, certain  
21 matters are given specifically to the various  
22 bureaus, are they not?

23 A Yes, the various duties given to the various  
24 bureaus under their table of organization are set  
25 out here.

1 THE INTERPRETER: Correction: "Organization-  
2 al Regulations" instead of "Table of Organization."

3 Q And under Article 2 of exhibit 3348,  
4 which you have in front of you, those matters not  
5 provided there fell under your management as Senior  
6 Adjutant in charge of the Secretariat, is that not  
7 so?

8 A No, that is not so.

9 Q Would you read out Article 2 of 3348?

10 A (Reading): "Article 2. The affairs of  
11 this ministry shall be divided among the bureaus  
12 and the Minister's Secretariat and the Minister's  
13 Secretariat shall take charge of the management  
14 of affairs thereof, unless otherwise provided."  
15  
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1 Q Where else was any provision made except in  
2 these regulations?

3 A In Article 2, at the very end, you find the  
4 words, "unless it is otherwise provided." Actually,  
5 however, there is no other provision. Also, Article  
6 2, if you look at it, provides that, "The affairs of  
7 this ministry shall be divided among the Bureaus and  
8 the minister's secretariat..."

9 In matters relating to -- all outgoing  
10 matters are handled by the Minister's Secretariat,  
11 but within the Ministry itself all affairs are divided  
12 among the bureaus and the Minister's Secretariat.

13 Q In accordance with Tables 1 to 10?

14 A No, that is not so. Tables 1 to 10, other  
15 than the organizational regulations, provide only  
16 for matters to be handled by the Minister as dele-  
17 gated to the various bureaus. All other matters,  
18 that is to say, only a portion of the business of the  
19 War Ministry is set forth in Tables 1 to 10. Further-  
20 more, these matters which are to be divided are to be  
21 handled by the various bureaus.

22 Q Well, now, you say that only a portion of  
23 the affairs of the War Minister is set forth in  
24 Tables 1 to 10. I take it that they only include,  
25 too, a portion of the Vice-Minister's duties.

1 A Yes.

2 Q Well, now, actually under Article 11 of the  
3 exhibit which you have in front of you, you are re-  
4 quired to take charge of the affairs of the Minister's  
5 Secretariat in compliance with the orders of the  
6 Minister and the Vice-Minister, is that not so?

7 A Yes.

8 Q And, further, under the same Article, it  
9 provides that you shall -- "the Senior Adjutant shall  
10 take charge of the general management of the Ministry,  
11 pursuant to orders of the Minister and Vice-Minister,"  
12 is that not so?

13 A Yes, as you have said.

14 Q And, under Article 24, it is provided that,  
15 "The competent adjutant shall deliver the documents"  
16 to you, as Senior Adjutant, if they are regarded as  
17 sufficiently important to require "prompt inspection  
18 by the Minister, the Parliamentary Vice-Minister, or  
19 the Councillor."

20 A Yes, as you say.

21 Q And, under Article 25, if there is any  
22 doubt as to which sections matters shall be referred,  
23 you are required to nominate the section after receiv-  
24 ing instructions from the Vice-Minister, are you not?  
25

A Yes, but, as a matter of fact, such things

do not exist.

1 Q In other words, you know where to send them,  
2 without any further advice?

3 A Yes.

4 Q Then, taking the position of the bureau  
5 chiefs, under Article 30, important matters cannot  
6 be started by bureau chiefs without having the con-  
7 sent of the Minister or the Vice-Minister to their  
8 execution.

9 A This does not mean that matters cannot be  
10 executed without getting the Minister's or the Vice-  
11 Minister's private consent.

12 Q But, it does mean that important matters  
13 cannot be executed without getting the consent of the  
14 Minister or the Vice-Minister, does it not?

15 A This part should not really read, "to the  
16 Minister or to the Vice-Minister." It should be,  
17 "to the Minister and to the Vice-Minister," and in  
18 some cases we may get the consent only of the Minister  
19 and it is not necessary to get the consent of the  
20 Vice-Minister.

21 Q You don't suggest, Witness, do you, that  
22 there is a mistranslation there?

23 A There is nothing wrong in the Regulations  
24 themselves. You just stated, "to the Minister or to  
25

1 the Vice-Minister," and I just wanted to tell you  
2 that it is not "to the Minister or to the Vice-  
3 Minister" but "to the Minister and to the Vice-  
4 Minister."

5 THE MONITOR: And it is correctly stated, as  
6 given in the copy I have, meaning the Japanese copy.

7 COLONEL MORNANE: I would ask that the trans-  
8 lation of Article 30 of exhibit 3348 be referred to  
9 the Language Arbitrator, if the Tribunal pleases.

10 THE PRESIDENT: It is referred accordingly.

11 Q Now, under Article 40, when documents --  
12 when the consideration of documents has been completed  
13 by the section, they must be handed over to the Mini-  
14 ster's Secretariat for review by the adjutant, is  
15 that not so?

16 A Yes.

17 Q And, he then can carry it into effect -- can  
18 carry the matters into effect after getting the  
19 approval of the Minister or the Vice-Minister to  
20 whom they are submitted, is that not so?

21 A Yes.

22 Q And, Article 41 provides that in an emerg-  
23 ency the Senior Adjutant may act on his own, thus  
24 must immediately make a report to the Minister or the  
25 Vice-Minister after the execution of the matter, is

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1 that so?

2 A Yes.

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1 Q Now, coming to Article 46, that provides  
2 that the director of the Bureau of Personnel Affairs  
3 must get approval from the Minister or Vice Minister  
4 with regard to certain important secret matters, is  
5 that not so?

6 A Yes.

7 Q And those matters may include the appoint-  
8 ment and dismissal of personnel?

9 A What do you mean by the dismissal of per-  
10 sonnel?

11 Q I refer you to Article 46, which refers to  
12 matters concerning personnel affairs hereafter men-  
13 tioned, and immediately following that there is para-  
14 graph 1, matters regarding movement, appointment, and  
15 dismissal.

16 A I should like to state here that the ministers'  
17 secretariat has nothing whatsoever to do with affairs  
18 of personnel. These are all under the jurisdiction of  
19 the Personnel Bureau.

20 Q And in accordance with this article he must  
21 get, in certain cases, approval from the Minister or  
22 the Vice-Minister, is that not so?

23 A In this article you will find the words  
24 "can be dealt with by the Bureau of Personnel Affairs."  
25

THE INTERPRETER: The witness said "by the

1 Director of the Bureau of Personnel Affairs.

2 Q Witness, I refer you to the first part of  
3 that article, which I will read:

4 "Among matters concerning personnel affairs  
5 hereafter mentioned, for those which are considered  
6 secret, the Director of the Bureau of Personnel  
7 Affairs must get approval from the Minister or Vice-  
8 Minister according to the degree of importance (those  
9 which need minister's approval positively must be in-  
10 spected by the Vice-Minister) or the Director of Bureau  
11 of Personnel Affairs can deal with them himself."

12 Does that not suggest to you that in very  
13 important matters the Director of the Bureau of Per-  
14 sonnel Affairs must get the approval either of the  
15 Minister or Vice-Minister?

16 A It does state that important matters concerned  
17 with personnel must be referred to the Minister or  
18 the Vice-Minister.

19 Q Now, coming to Article 47, that provides,  
20 with regard to publication of important matters, the  
21 approval of the Minister, the Vice-Minister, or the  
22 Bureau Director must be obtained, does it not?

23 A Yes.

24 Q Now, as I understand your evidence, no docu-  
25 ment can go out from the War Ministry unless it is

1 sent with the approval of the Minister or the Vice-  
2 Minister or yourself, is that so?

3 A All outgoing documents which are handled as  
4 official documents must be so handled.

5 Q And finally, under Article 51 the power to  
6 stop any documents seems to be placed in the Minister  
7 or the Vice-Minister, is that not so?

8 A Yes.

9 COLONEL MORNANE: Can the witness be shown  
10 Exhibit 1973?

11 (Whereupon, a document was handed  
12 the witness.)

13 Language Section, I will be referring to  
14 page 2 of the English copy of that exhibit.

15 Q Have you that document, witness?

16 A Yes.

17 Q Now I want you to look at a document headed  
18 "Receipt Number: Amitsu 1910."  
19

20 That shows it as having been executed by  
21 yourself and approved by the Minister of War, is that  
22 not correct?

23 A No, that is not so.

24 Q I don't think we are referring to the same  
25 document, witness. Will you read the document you  
are referring to?

1           A    "Subject: The Internment of Prisoners of  
2   War in Korea."

3           Q    Yes. Well, now, who is shown as approving  
4   that document?

5           A    The Minister of War.

6           Q    And there is one part that is marked "Execu-  
7   ted by," and someone's seal. Is that your seal?

8           A    Yes.

9           Q    Well, doesn't that mean that that is approved  
10   by the Minister of War and executed by you?

11          A    By this is meant the fact that this document  
12   has been approved by the Minister of War, and that  
13   after approval it was executed and it was established  
14   as an official document.

15          Q    And that you were responsible for having it  
16   executed?

17          A    Mine was the responsibility for certifying that  
18   the document had been prepared and was all ready to go  
19   out.

20                COLONEL MORNANE: May the witness be shown  
21   exhibit 1967?

22                (Whereupon, a document was handed  
23   the witness.)

24          Q    The first page of that document shows a  
25   message from the Chief of General Staff of the Eastern

1 District Army to the Minister of War, is that not so?

2 A Yes.

3 Q And it relates to the employment of prisoners  
4 of war?

5 A Yes.

6 COLONEL MORNANE: Language Section. I am now  
7 referring to page 1, at the foot of paragraph 2(d),  
8 "8th working place."

9 Q Now, Witness, you will notice there that  
10 the place of labor is set out, and under the heading of  
11 "8th working place," munitions factories for expanding  
12 production are set out?

13 A Yes.

14 Q And that is an application to employ prisoners  
15 of war at that place, among others, is it not?

16 COLONEL MORNANE: Language Section page 3 of  
17 the English copy.

18 Q (Continuing) That is a reply to that request  
19 dated the 2nd of October, 1942, and states that the  
20 application is approved as requested?

21 A Yes.

22 Q And you will notice there that the approving  
23 authority is given as Vice-Minister of War. I take  
24 it that means that he approved of that document being  
25 dispatched?

1 A Yes.

2 (Whereupon, the Japanese court  
3 reporter read the last answer.)

4 THE WITNESS: No, I didn't say that.

5 THE MONITOR: The Japanese court reporter quo-  
6 ted the witness as saying "Yes" and the witness denies  
7 it.  
8

9 THE WITNESS (continuing): I didn't say that  
10 the Vice-Minister of War sent out this document. The  
11 order came from the War Minister.

12 Q Then, I put to you, Witness, that that docu-  
13 ment shows that the person who approved of it going  
14 out was the Vice-Minister, who gave the authority to  
15 send it out.

16 A This was one of the matters which the Vice-  
17 Minister sent out as one of the matters delegated to  
18 him by the War Minister.

19 Q Yes, that is so. What I am putting to you  
20 is that he approved of it being sent out; that is,  
21 the Vice-Minister approved of it being sent out?

22 A No, that would not follow. Even if the Vice-  
23 Minister approved of the going out of this document,  
24 if this document fell under the category of those  
25 matters to be approved by the Vice-Minister of War

1 on delegation from the War Minister -- on matters  
2 delegated to him by the War Minister, it would mean  
3 that the Vice-Minister's approval had the same  
4 effect as the War Minister himself approving it.

5 I should like to be permitted to explain what  
6 is meant by "matters delegated to the Vice-Minister."

7 Q Yes, explain.

8 A Matters delegated by the War Minister means  
9 matters in which the War Minister delegates a part of  
10 his authority to his subordinates; and since the War  
11 Minister's powers are very extensive and extend to  
12 even detailed matters, it is a physical impossibility  
13 for him to execute all these matters by himself, and  
14 therefore he delegates a portion of his authority to  
15 his subordinates and orders that they execute it.

16 The meaning of this is that it is tantamount  
17 to the War Minister saying, "I will take the respon-  
18 sibility for this act, so you do the actual execution."  
19 Therefore, the execution of matters delegated by the  
20 War Minister are all carried out on the responsibility  
21 of the War Minister.

22 THE PRESIDENT: But the nature of the action  
23 would depend upon the decision of the Vice-Minister, I  
24 take it?

25 THE WITNESS: The approval given by the Vice-

1 Minister in such cases is approval based on the inten-  
2 tions of the War Minister as understood by the Vice-  
3 Minister and does not represent the intentions of the  
4 Vice-Minister himself.

5 THE PRESIDENT: We may be invited to believe  
6 that, but we may not do so, Colonel Mornane. It is  
7 really not necessary to cross-examine at such length.  
8 The Vice-Minister's position seems to be very fully  
9 covered by these documents to which you are referring.  
10 It is very clear that no further cross-examination is  
11 necessary.

12 COLONEL MORNANE: I was merely putting in  
13 sample documents to explain his affidavit.

14 May the witness be shown IPS document No.  
15 638?

16 (Whereupon, a document was handed  
17 the witness.)

18 Q Witness, will you have a look at that document?  
19 It purports to be a document addressed by the Chief  
20 of Staff of the He-shu Corps to the Vice-Minister of War  
21 KIMURA, Heitaro, does it not?

22 A Yes.

23 Q And is dated the 14th of October, 1941?

24 A Yes.

25 Q From the various seals on it can you identify

1 it as a document that has been received by the War  
2 Ministry?

3 A Yes, this is a document received by the War  
4 Ministry.

5 Q Have you any independent recollection of that  
6 document yourself?

7 A No, I have not.

8 COLONEL MORNANE: I tender that document in  
9 evidence, if the Tribunal pleases. It is IPS docu-  
10 ment No. 638.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution document  
13 638 will receive exhibit No. 3366.

14 (Whereupon, the document above  
15 referred was marked prosecution exhibit  
16 3366 and received in evidence.)

17 COLONEL MORNANE: I propose, if the Tribunal  
18 pleases, to read paragraph 2, page 4, "Re: The Murder  
19 of a French Missionary by Our Navy in POWEN."  
20

21 The Tribunal may not consider it necessary to  
22 have it read. It will, I take it, be read as an ex-  
23 hibit by the Court itself.

24 THE PRESIDENT: If you really think it is  
25 necessary to read it, you may do so, Colonel.

Q Will you follow from paragraph 2, page 4, of

1 the English edition?

2 "Re: The Murder of a French Missionary by  
3 Our Navy in POWEN.

4 "The following was revealed upon further  
5 investigation of the case based upon the words of a  
6 DOMINIC DESPEIPAN, Bishop of the Catholic Church in  
7 HAIKOW, who stated that the French Missionary MOLBAN  
8 had been killed by our Navy in the city of POWEN, a  
9 district then under the punitive operation of our Navy.

10 "(1) The circumstances under which the HAIKOW  
11 Church came to possess such information.

12 "Then the Catholic Missionaries MANDIE and  
13 TENEBES, stationed in the interior of the HAINAN ISLAND,  
14 arrived in the city of POWEN in the early part of  
15 September, they found that their brother missionary  
16 MOLBAN had been killed, and after investigating the  
17 affair, reported this matter to DOMINIC DESPEIPAN,  
18 Bishop of the HAIKOW Church.

19 "(2) Presumptive reasons for being murdered  
20 and the conditions prevalent.

21 "During the current punitive operation -- it  
22 was on the 25th and the 26th of August that our Navy  
23 arrived in the city of POWEN.

24 "On August 25, the Navy unit only passed  
25 through the city of POWEN, but on the 26th of August a

1 detachment of the unit again arrived in the city of  
2 POWEN with several lorries and found a dead body of  
3 a sailor of our Navy exposed in the front entrance of  
4 the city. (A body which had been dead for eight days.)

5 "Under the assumption that this work had been  
6 done by the residents of the POWEN City, the said  
7 detached unit burned the natives houses and the church  
8 of the city, killing the missionary MOLBAN and 24 other  
9 natives, burning their bodies. (One dead body re-  
10 maind unburned.)

11 "The murder of the missionary was executed  
12 in a native's house which is located between the church  
13 and the market a short distance away. Furthermore,  
14 they burned about 5 to 6,000 dollars in PAPI (Chugking  
15 dollars) and, within the same day, the detached unit  
16 withdrew to NAN-MENG-PO in the neighborhood, station-  
17 ing there for two days, and later moved away.

18 "(3) Measures taken by DESPEIPAN, Bishop of  
19 the HAIKOW Church. DESPEIPAN, upon receiving the above-  
20 mentioned information, only telegraphed to the PEKING  
21 and LISBON Branches of the Church as follows: "Mis-  
22 sionary MOLBAN succumbs," without giving any further  
23 detailed reports.

24 "(4) The funeral rites are scheduled to be  
25 held at the HAIKOW Church from 9.00 a. m. October 6,  
Japanese military personnel are expected to attend."

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THE PRESIDENT: What is the relevance of that?

COLONEL MORNANE: It is put in this way, your Honor. This is a report received by the Vice-Minister of War in 1941, and it brings to his knowledge the fact that murder and looting do go on, and later on in 1944 he is in charge of the Burma forces.

THE PRESIDENT: Even comparatively small atrocities were reported to him in the ordinary course; is that your point?

COLONEL MORNANE: No, your Honor. What my point really was, was that General KIMURA, years before, had had notice of the manner in which Japanese troops or naval bodies had been behaving, and, therefore, he should have taken more active steps in Burma, not merely relying on the fact that no atrocities were reported.

THE WITNESS: May I make a remark as witness?  
BY COLONEL MORNANE (Continued):

Q Unless you have any knowledge of this document, my friend, Mr. Howard, will allow you to remark on it.

You have no knowledge of this document yourself?

A I should like to state something on seeing this document.

Q Have you any knowledge of this document previously?

A No, this is the first time I saw it.

1 Q Well, Witness, you will be fully protected by  
2 Mr. Howard, who will give you the opportunity to make  
3 any explanation.

4 You say that the Vice-Minister had nothing to  
5 do with matters relating to prisoners of war, is that  
6 so?

7 A Yes.

8 COLONEL MORNANE: Will the Tribunal pardon  
9 me for a moment?

10 May the witness be shown Item 56 of IPS docu-  
11 ment 1552?

12 (Whereupon, a document was handed to  
13 the witness.)

14 Q Witness, that is a document from the War  
15 Ministry, is it not?

16 A Yes, as you say.

17 Q And that document refers to the Imperial policy  
18 not to permit visits by agents of the protecting powers  
19 to the enemy; is that so?

20 I wish to reframe my question. I have misread  
21 it.

22 THE INTERPRETER: The witness said, "That is so."

23 Q And you will notice on that document that the  
24 Minister delegated the -- the Vice-Minister delegated  
25 the matter to the Chief of the Competent Bureau, UEMURA,

1 is that so?

2 A Yes.

1 COLONEL MORNANE: I propose, if the Tribunal  
2 please, to tender for identification IPS document  
3 1552.

4 CLERK OF THE COURT: Prosecution document  
5 No. 1552 will be given exhibit No. 3367 for identi-  
6 fication only.

7 (Whereupon, the document above  
8 referred to was marked prosecution exhibit  
9 No. 3367 for identification.)

10 THE PRESIDENT: Describe it shortly,  
11 Colonel.

12 COLONEL MORNANE: It is a bundle of docu-  
13 ments relating to prisoners of war during the year  
14 1942 received from -- it is a bound file of corres-  
15 pondence from Japanese POW Information Bureau relat-  
16 ing to POW inspection visits in 1942 and 1943, and  
17 I tender item 56 absolutely.

18 THE PRESIDENT: There being no objection,  
19 it is admitted on the usual terms.

20 THE WITNESS: May I make one remark?

21 COLONEL MORNANE: I propose to ask you some  
22 questions about this document.

23 THE PRESIDENT: Call out the number.

24 CLERK OF THE COURT: Prosecution document  
25 No. 1552, item 56, will receive exhibit No. 3367A.

1 (Whereupon, item 56 of IPS docu-  
2 ment 1552 was marked prosecution exhibit  
3 No. 3367A and received in evidence.)

4 Q Witness, that document shows that the Vice-  
5 Minister delegated the handling of the matter to  
6 the Chief of the Competent Bureau, UEMURA, does it  
7 not?

8 A That is not so. I should like to make it  
9 clear that this matter delegated was not delegated by  
10 the Vice-Minister of War but by the War Minister.

11 Q Witness, on the top of that document there  
12 is a printed form, is there not, an ordinary office  
13 form?

14 A I can't understand the question.

15 Q There is attached to that document a normal  
16 War Ministry form --

17 A Yes.

18 Q (Continuing) -- containing certain printed  
19 headings.

20 A Yes.

21 Q And one of those words printed is the word  
22 "Minister." And after that appears -- or next to  
23 that appears the word "delegated" which is not part  
24 of the printed form.

25 A Yes.

1 Q Well, now, what does that mean?

2 A That means that the Minister had delegated  
3 this matter to the bureau chief.

4 THE PRESIDENT: These things are too plain  
5 to call for any explanation. We will recess for  
6 fifteen minutes.

7 (Whereupon, at 1045, a recess was  
8 taken until 1100, after which the proceed-  
9 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Captain Kraft.

4 LANGUAGE ARBITER (Captain Kraft): If the  
5 Tribunal please, we submit the following language  
6 correction: Reference exhibit No. 3348, article 30,  
7 line 4, delete "or to" and substitute "and".

8 THE PRESIDENT: Thank you.

9 Colonel Mornane.

10 COLONEL MORNANE: If the Tribunal pleases,  
11 the cross-examination of the remaining two witnesses  
12 will be very short by virtue of the questions I am  
13 putting to this witness. I am anxious to clear up  
14 merely this delegation of powers, if the Tribunal  
15 would bear with me.

16  
17 BY COLONEL MORNANE (Continued):

18 Q Witness, you will see the word "Vice Minister,"  
19 that is printed on the form, is it not?

20 A Yes.

21 Q And that is followed by the word "delegated"  
22 which has been added?

23 A Yes.

24 Q If the Minister had already delegated the  
25 matter to the Chief of the Prisoner of War Control  
Bureau, what was the necessity for putting "delegated"

1 after the word "Vice Minister"?

2 A That is a matter of form, and in cases where  
3 the authority is delegated to the bureau chief it has  
4 been the custom to put the word "I", meaning delegated,  
5 both after the seal of the minister and that of the  
6 vice minister. And, therefore, just because the word  
7 "delegated" is found after the seal of the minister  
8 it does not mean that the minister delegated his  
9 authority to the vice minister, and the vice minister  
10 in turn delegated it to the bureau chief. If the word  
11 "delegated" is found after the minister's seal and  
12 also after that of the vice minister, that means that  
13 the matter has been delegated to the bureau chief.  
14

15 Q I suggest to you, Witness, that what happened  
16 is the minister has delegated it to the vice minister  
17 and the vice minister in his turn has delegated it  
18 to the bureau chief?

19 A That is a mistake.

20 Q Well, Witness, the original communication, the  
21 communication originating this file came from the  
22 Vice Minister of Foreign Affairs to the Vice Minister  
23 of War, did it not?

24 A Yes, as you say.

25 Q And the final communication is a draft of  
the reply of the Vice Minister of War to the Vice

1 Minister of Foreign Affairs, is that not correct?

2 A Yes, both terms, Vice Minister of War and  
3 Vice Minister of Foreign Affairs, are used on the  
4 document as a mere matter of form. That is to say  
5 it is a matter of custom that all documents sent  
6 from one ministry to another ministry -- sent from  
7 another ministry to the War Ministry are sent in the  
8 name of the vice minister of that ministry and are  
9 addressed to the Vice Minister of the War Ministry.  
10 And, therefore, even though the document itself is  
11 addressed from a vice minister to a vice minister it  
12 is erroneous to assume that it is actually addressed  
13 only to the vice minister; rather it should be inter-  
14 preted as being sent -- as a document being sent from  
15 one ministry to another ministry.

16 COLONEL MORNANE: May the witness be shown  
17 Item 73 of exhibit 1552.

18 (Whereupon, a document was handed  
19 to the witness.)

20 Q Witness, that document bears the stamp of  
21 the War Department upon it, does it not?

22 A Yes.

23 Q Now, you will note that document relates to  
24 inspection of prisoner of war camps, does it not?

25 A This is a document of the POW Administration

1 Bureau.

2 Q Relating to visits to prisoner of war camps?

3 A Yes.

4 Q Now, you will notice on that document **there** is  
5 printed the words "Designation of Decision" followed  
6 by the word "Vice Minister", is that so?

7 A Yes.

8 Q And that indicates that a decision--

9 MR. HOWARD: Your Honor, these are new docu-  
10 ments that they are putting in, and they are reading  
11 them before we even get a chance to look at them.

12 COLONEL MORNANE: Perhaps, your Honor, I have  
13 omitted to tender this document. By the time I have  
14 tendered it my friend will have a chance to read it.

15 MR. HOWARD: We were under the impression that  
16 the prosecution's case had closed. Of course, we don't  
17 object to them cross-examining on certain matters, but  
18 we don't like to have them make out a complete case or  
19 attempt--

20 THE PRESIDENT: That matter has been argued  
21 and decided.

22 COLONEL MORNANE: I tender in evidence Item  
23 73 of IPS document No. 1552--

24 THE WITNESS: This document is--

25 COLONEL MORNANE: Witness!

1 I tender in evidence that document which is  
2 a Prisoner of War Administration file relating to in-  
3 spection of prisoner of war camps made on the 1st of  
4 December '42.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution document  
7 No. 1552, Item 73, will receive exhibit No. 3367-B.

8 (Whereupon, the document above re-  
9 ferred to was marked prosecution exhibit No.  
10 3367-B and received in evidence.)

11 Q Now, Witness, I refer you to--

12 COLONEL MORNANE: May the witness be shown  
13 exhibit 3349?

14 (Whereupon, a document was handed to  
15 the witness.)

16 COLONEL MORNANE: Court Reporter, this is on  
17 pages 2 to 6 of the English translation of this exhibit  
18 which is defense document 579.

19 Q Witness, you will notice there that there are  
20 69 specified powers entrusted to the Vice Minister?

21 A Yes.

22 Q And in addition there is a provision "Among  
23 the matters not mentioned here, those which have their  
24 precedents will be dealt with in accordance with  
25 convenience." I take it from that that the Vice

1 Minister had other powers in addition to these 69,  
2 is that so?

3 A Yes.

4 COLONEL MORNANE: That concludes my cross-  
5 examination, if the Tribunal pleases.

6 THE PRESIDENT: Mr. Howard.  
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## REDIRECT EXAMINATION

BY MR. HOWARD:

Q General KAWAHARA, the document you were testifying about, IPS document No. 1552, is General KIMURA's seal upon that exhibit?

A May I see the document in question?

Q May he be shown exhibit No. 3367A again, please?

(Whereupon, a document was handed to the witness.)

A The vice-minister's seal does not appear.

Q Well, isn't it customary for the vice-minister to put his seal upon documents that he does send out?

COLONEL MORNANE: If the Tribunal pleases, I object to this question as leading.

THE PRESIDENT: Objection upheld.

Q General KAWAHARA, getting back to personnel matters, who actually did decide important personnel matters while KIMURA was vice-minister?

A While KIMURA was vice-minister important personnel matters were handled by the War Minister himself.

Q Now, I would like to go back to that exhibit again, 3367A. Did you show this paper to General KIMURA?

A No, I did not show it to him. This document

1 came to the War Ministry more in the nature -- correction,  
2 as a reference document and was, therefore -- it was,  
3 therefore, sufficient for the adjutant in charge to  
4 refer it to the competent section, that is to say the  
5 Military Affairs Bureau. At the time the War Ministry  
6 was receiving this type of document in great number and  
7 it was impossible for the vice-minister to peruse all of  
8 these documents and, therefore, it followed that the  
9 member of the section in charge, the particular section  
10 in charge, would look at these documents.

11 Q Well, did General KIMURA see this document?

12 A Since his seal does not appear on it, he did  
13 not see it.

14 MR. HOWARD: May the witness be shown exhibit  
15 3366?

16 (Whereupon, a document was handed  
17 to the witness.)

18 Q Did General KIMURA ever see that document?

19 A No, he did not.

20 MR. HOWARD: May the witness be excused on  
21 the usual terms?

22 THE PRESIDENT: He is excused accordingly.

23 (Whereupon, the witness was excused.)  
24

25

- - -

1 MR. HOWARD: We next call the witness SHIBAYAMA  
2 whose affidavit is defense document 1026.

3 MARSHAL OF THE COURT: The witness SHIBAYAMA  
4 is in Court. He has previously testified before this  
5 Tribunal.

6 THE PRESIDENT: You are still on your former  
7 oath.

8  
9 K A N E S H I R O S H I B A Y A M A, recalled as a  
10 witness on behalf of the defense, having been  
11 previously sworn, testified through Japanese  
12 interpreters as follows:

13 DIRECT EXAMINATION

14 BY MR. HOWARD:

15 Q Please state your name and address.

16 A Kaneshiro SHIBAYAMA.

17 MR. HOWARD: I now ask that the witness be  
18 shown defense document 1026.

19 (Whereupon, a document was handed to  
20 the witness.)

21 Q Is that your affidavit and did you sign it?

22 A Yes.

23 Q Are the contents therein true and correct?

24 A Yes.

25 MR. HOWARD: I ask that defense document 1026

1 be received in evidence.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Defense document No. 1026  
4 will receive exhibit No. 3368.

5 (Whereupon, the document above  
6 referred to was marked defense exhibit  
7 No. 3368 and received in evidence.)

8 MR. HOWARD: I read in evidence exhibit  
9 No. 3368, beginning at paragraph 1:

10 "I, SHIBAYAMA, Kaneshiro, was born at Osone,  
11 Ibaragi Prefecture, and I now live at 861 Komaba-machi,  
12 Meguro-ku, Tokyo. I held the position of Vice-  
13 Minister of War from August 1944 to July 1945.

14 "2. I have had no direct connection, whatever,  
15 officially or otherwise with the defendant KIMURA, Heitaro

16 "3. During the time that I was Vice-War  
17 Minister and during the time that KIMURA was Vice-War  
18 Minister, the regulations concerning the duties and  
19 responsibilities of that office were construed to mean  
20 and were placed in practice as follows:

21 "a. The Vice-Minister acts as an assistant to  
22 the Minister. Toward other departments and authorities  
23 he has no authority to represent the Ministry, nor does  
24 he possess the right of command, accordingly he is not  
25 in a position to take any responsibility for matters

1 outside the ministry.

2 "b. The Vice-Minister acts as an assistant  
3 to the Minister concerning military administrative  
4 affairs, but not concerning state affairs. Therefore,  
5 when the Minister wants to order the Vice-Minister to  
6 act in his place, first he has to go through the  
7 formalities of appointing the Vice Minister to the  
8 position of Minister of State according to the routine  
9 of the cabinet organization, otherwise the Minister has  
10 no authority to have the Vice-Minister act in his place.  
11 For instance, once when Minister of War UGAKI suffered  
12 ill health for a long period of time, Lt. General ABE,  
13 who was the Vice-Minister then, was appointed specially  
14 to be Minister of State and then was ordered to act in  
15 place of the Minister.  
16

17 "c. The rights to command, to appoint or dis-  
18 miss, and to punish the Chiefs of Bureaus and Departments  
19 belongs only to the Minister, and not to the Vice-  
20 Minister. The Vice-Minister has only the right to  
21 supervise business management. This, however, does  
22 not imply such strong authority as the right to direct  
23 and command such management. It merely implies the  
24 right to offer guidance and instruct with regard to  
25 business.

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"The Chiefs of the Bureaus and Departments have the right to command, to control and punish their staffs, and to keep examination records concerning them.

"d. The Chiefs of Bureaus and Departments are under direct control of the Minister, administer their duties by order of the Minister, and are directly responsible to the Minister. Therefore, they can present their opinion directly to the Minister and ask his decision, and the Minister can directly command and order them.

"e. 'The disposition of departmental business' which is the duty of the Vice-Minister means that the Vice-Minister is to coordinate business between bureaus and departments, to decide the matters delegated, and to transact miscellaneous and routine affairs which do not belong to any bureau or department. 'The supervision of business' means that the Vice-Minister, as an assistant to the Minister in regard to the affairs for which the Minister is responsible, is to direct the business of bureaus and departments, because the Chiefs of Bureaus and Departments direct and supervise the affairs of Departments and Sections which are under their jurisdiction.

"f. The Chief of the War Prisoners Control

1 Bureau superintends affairs in the War Ministry  
2 concerning the treatment of prisoners of war, and  
3 the Chiefs of other bureaus also supervise respective-  
4 ly the affairs relating to prisoners of war, accord-  
5 ing to their jurisdiction by order of the Minister.  
6 While the Chief of the War Prisoners Control Bureau  
7 is entrusted with some matters which are not very  
8 important, the Vice-Minister has nothing entrusted to  
9 him relating to affairs within the jurisdiction of  
10 the War Prisoners Control Bureau.

11 "g. The Vice-Minister is entrusted with a  
12 number of unimportant affairs which are under the  
13 jurisdiction of the Bureaus, and has no right to  
14 decide other matters, still less the right to give  
15 orders to those who are outside of the Ministry.

16 "h. The Vice-Minister's notifications by  
17 order are such notifications as are issued in the  
18 name of the Vice-Minister according to the routine  
19 hitherto in practice in case the Minister's orders  
20 are to be transmitted in writing. Also telegrams,  
21 references, answers, etc., are issued or received in  
22 the name of the Vice-Minister according to the routine  
23 procedure of business, but this fact does not neces-  
24 sarily mean that the Vice-Minister is responsible  
25 for such statements.

1 "1. Within the War Ministry it is the rule  
2 that the Vice-Minister has nothing to do with appoint-  
3 ments of personnel. This is contrary to the practice  
4 in other ministries.

5 \* \* \*

6 "4. Changes of cabinets have no connection  
7 whatever with the appointment of the Vice-Minister of  
8 War, which belongs in the jurisdiction of the War  
9 Ministry.

10 "5. It was natural that the Vice-Ministers,  
11 no matter who they were, were appointed as members or  
12 councillors of various committees, but many of them  
13 actually have played no important part as such."

14 With the Court's permission I will ask two  
15 or three additional questions.

16 Q Was KIMURA ever appointed minister of state?

17 A No.

18 Q Did the officers of the War Ministry plan  
19 or execute military operations?

20 A No.

21 Q What were the duties and responsibilities of  
22 the Vice War Minister and the chiefs of bureaus in the  
23 military section of the Imperial headquarters?

24 A He had no duties different from his ordinary  
25 peacetime duties as Vice-Minister of War even in that

1 'military section.

2 Q What were those duties?

3 A May I have the question repeated?

4 (Whereupon, the Japanese court  
5 reporter read.)

6 A They did not have any special duties as  
7 members of the staff -- as attending members.

8 MR. HOWARD: Your witness.

9 THE PRESIDENT: Colonel Mornane.

10 CROSS-EXAMINATION

11 BY COLONEL MORNANE:

12 Q Witness, what position did you occupy prior  
13 to being Vice-Minister of War?

14 A Immediately prior to becoming Vice-Minister  
15 of War I was supreme military advisor to the Chinese  
16 Government at Nanking.

17 Q When were you appointed to that position?

18 A April, 1943.

19 Q And what were you prior to that?

20 A Commander of the 26th division.

21 Q For how long -- when did you take over  
22 command of the 26th division?

23 A April, 1942.

24 Q And prior to that what were you?

25 A Inspector general of supply.

1           Q   Witness, you can't say of your own personal  
2 knowledge anything about the way the accused KIMURA  
3 conducted himself at the War Ministry as you were not  
4 there while he was in office, is that not so?

5           A   Since I myself have served as Vice-Minister  
6 in the War Ministry, on the whole I knew what my  
7 predecessors had done.

8           THE PRESIDENT: That is clear from his  
9 affidavit, Colonel, paragraph two.

10          COLONEL MORNANE: I merely want to make it  
11 clear that he himself did not know directly what was  
12 done.

13          In view of the fact, if the Tribunal please,  
14 that I have put to the previous witnesses all the  
15 questions relating to KIMURA's position, I do not  
16 propose to repeat them to this witness.

17          That concludes my cross-examination.

18          MR. HOWARD: Mr. President, may the witness  
19 be excused on the usual terms?

20          THE PRESIDENT: He is excused accordingly.

21          (Whereupon, the witness was excused.)

22          MR. HOWARD: I next call witness TANAKA,  
23 Tadakatsu, whose affidavit is defense document 954.  
24  
25

- - -

1 T A D A K A T S U T A N A K A, called as a witness  
2 on behalf of the defense, being first duly sworn,  
3 testified through Japanese interpreters as  
4 follows:

5 DIRECT EXAMINATION

6 BY MR. HOWARD:

7 Q Please state your name and address.

8 A My name is TANAKA, Tadakatsu; my address:  
9 Kasuga-cho, Shobu-machi, Minami Saitama-gun, Saitama  
10 Prefecture.  
11

12 MR. HOWARD: I ask that the witness be shown  
13 defense document 954.

14 Q Is that your affidavit and did you sign it?

15 A Yes.

16 Q Are the contents therein true and correct?

17 A Yes.

18 MR. HOWARD: I offer in evidence defense  
19 document 954.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document No. 954  
22 will receive exhibit No. 3369.

23 (Whereupon, the document above  
24 referred to was marked defense exhibit  
25 No. 3369 and received in evidence.)

1 MR. HOWARD: I will read in evidence exhibit  
2 3369, beginning at paragraph 1:

3 "1. I, TANAKA, Tadakatsu, was born in  
4 Yamaguchi Prefecture on September 25, 1904. After  
5 graduating from the Military College, I successively  
6 served as staff officer of various units and was then  
7 appointed adjutant of the War Ministry and concurrently  
8 secretary to the War Minister in February 1941, re-  
9 maining in these offices up to April 1943. Throughout  
10 the whole duration of the then Lieutenant-General  
11 KIMURA's tenure of office of the Vice-War Minister, I  
12 was always with him and assisted him as secretary  
13 attached to the Vice-Minister. Documents to be read  
14 or reviewed by the Vice-Minister were all handled by  
15 me, except those directly brought and handed him by  
16 officers in charge. Moreover, as the Vice-Minister  
17 used to tell me of a greater part of what he partici-  
18 pated in and besides I was in attendance on him in al-  
19 most all his dealings, I am fully familiar with a  
20 greater part of KIMURA's activities during his tenure  
21 of office of the Vice-Minister.  
22

23 "2. Before his assumption of office as Vice-  
24 Minister, General KIMURA was in the same office with  
25 General TOJO for about six months as Director of the  
Ordnance Bureau at the time when TOJO was Vice-War

1 Minister. Excepting this, KIMURA never served in the  
2 same government office, school or army with TOJO, and  
3 he has had no connection whatever with General TOJO  
4 politically, ideologically or individually.

5 "As to the reason for the appointment of  
6 General KIMURA to the post of Vice-Minister, I have  
7 heard that it was to make him help the Minister in  
8 regard to the special and technical administration of  
9 arms which is his forte and also to promote the intra-  
10 ministry harmony and cooperation through his old  
11 acquaintanceship with different bureau directors at  
12 the time when he was Director of the Ordnance Bureau.

13 "3. Vice-Minister KIMURA hails from Saitama  
14 Prefecture which had not many career soldiers and with  
15 but few noted seniors. I am not sure whether or not  
16 there was any clique or sectionalism within the army.  
17 But, if any, KIMURA had no connection whatever with it.  
18 Until his assumption of office of Vice-Minister, he  
19 was exclusively a genuine soldier chiefly engaged in  
20 artillery education, technical administration of arms  
21 and army commander; and did his best in the field of  
22 ordnance administration with his profound knowledge and  
23 experience in this line.

24 "During his tenure of office of the Vice-  
25 Minister, KIMURA was not in a position to play his role

1 positively on account of the surroundings at that time.  
2 Minister TOJO was well versed in military administration,  
3 especially proficient in business affairs, besides  
4 being a man of special industry. With 'Command at the  
5 head of the column' and 'Simplification and dispatch  
6 of business' as mottoes, he held power over principal  
7 bureau and department chiefs and ordered them direct,  
8 and conducted business positively and decisively. Most  
9 of these bureau and department chiefs were in their  
10 respective positions for a long time and they were  
11 all skilled men of ability; so they were conducting  
12 business promptly and correctly, faithfully complying  
13 with the intention of the Minister. Under such cir-  
14 cumstances, the actual state of affairs at that time  
15 was that Vice-Minister KIMURA naturally used his ability  
16 principally in the sphere of ordnance administration,  
17 in which he was well versed; and simultaneously en-  
18 deavored to facilitate the skilled and talented Minister  
19 as well as bureau and department chiefs to display  
20 their abilities to the fullest extent.

21 "I recollect a part of General KIMURA's ad-  
22 dress at a farewell meeting held in March 1943 (18th  
23 year of Showa), when he was transferred from Vice-  
24 Minister to the post of head of the Ordnance Adminis-  
25 tration Headquarters, which follows:

1            "'During my tenure of office of Vice-Minister,  
2 I thought it proper for me as an assistant of Minister  
3 TOJO to make every effort for business simplification  
4 and dispatch as well as the unity and conciliation of  
5 the whole ministry in order to contribute to the  
6 perfect realization of Minister TOJO's "command at the  
7 head of the column," and at the same time facilitate  
8 bureau and department chiefs giving full scope to  
9 their abilities; and I acted accordingly. However,  
10 now I have been appointed head of the Ordnance Ad-  
11 ministration Headquarters, so I will display my ambi-  
12 tion positively by means of the "command at the head  
13 of the column" . . . '

14            "I believe these words of his are more than  
15 enough to reveal his frame of mind during his tenure  
16 of office of the Vice-Minister. Furthermore, I heard  
17 him reveal similar expressions on occasion, while I  
18 was in contact with him as his secretary.

19            "As Minister TOJO was always extremely  
20 pressed with the heap of various miscellaneous busi-  
21 ness matters in addition to important state affairs,  
22 ceremonial matters of all kinds and other miscellaneous  
23 businesses were almost exclusively transacted by the  
24 Vice-Minister so that the Minister may concentrate his  
25 energy chiefly on important matters. Hence, the

1 Vice-Minister was always very busy too.

2 "5. General TOJO, even after his assumption  
3 of office of the Prime Minister and the concurrent  
4 Minister of War, abided by his principle of the 'com-  
5 mand at the head of the column' all the more; and  
6 conducted the business of the War Ministry himself  
7 promptly and with extraordinary efforts, without en-  
8 trusting important matters to others. Therefore, the  
9 functions and competence of Vice-Minister KIMURA were  
10 not subjected to any change compared with those of  
11 the days when General TOJO was the full-service War  
12 Minister. Nor was the Vice-Minister ordered to act as  
13 proxy to conduct minister's functions.

14 "Besides, it was rather rare that the  
15 Minister was absent from Tokyo on account of official  
16 tours, and, if any, the duration was very short; and  
17 there was not a single instance of the Vice-Minister's  
18 conduction of the functions of the Minister in his  
19 place even during this period.

20 "6. (1) The bureau chiefs' conference was  
21 held twice weekly as a rule. This was not a conference  
22 in the true sense of the word but was merely a business  
23 liaison to make necessary reports to the Minister and  
24 Vice-Minister by different bureau and department chiefs  
25 concerning matters in their respective charges, and

1 simultaneously make mutual exchange of information  
2 among themselves for the purpose of establishing smooth  
3 business operation.

4 "The bureau directors' conference was pre-  
5 sided over by the War Minister both in name and reality  
6 and he was very careful in guiding it even in minor  
7 matters. Although there were cases where the Minister  
8 was prevented from attending the conference, and con-  
9 sequently the Vice-Minister presided over it, they  
10 were very few and the conference was often given up  
11 because of the absence of the Minister. When the  
12 Minister was absent, his secretary used to make a  
13 record of the main points of the conference to report  
14 it to the Minister afterwards.

15 "I have no memory of having heard at either  
16 the bureau directors conference or any other occasions  
17 during my term of office in the War Ministry any pro-  
18 test or information regarding ill treatment of prisoners  
19 of war.

20  
21 "(2) The contents of the communication issued  
22 in the name of the Vice-Minister by order of the Minis-  
23 ter, concerning the disposal of prisoners of war at  
24 present (court exhibit No. 1965-A) were reported by  
25 Chief UEMURA of the Prisoner of War Administration  
Division at a bureau directors' conference, and the

1 decision and approval were obtained therefor direct  
2 from the Minister at that time.

3 "7. The Kempei or the military police is  
4 a special army under the direct control of the Minis-  
5 ter of War based on the ordinance concerning the Kempei  
6 and the Vice-Minister of War has no right to control  
7 it.

8 "8. The decision on the purport of 'The  
9 Vice-Minister's communication by order of the War  
10 Minister concerning the treatment of the enemy air  
11 crew members who entered Japan with the object of  
12 raiding its territory,' bearing RIKUMITSU (TN: army  
13 secret) No. 2190, dated July 28, 1942 (court exhibit  
14 No. 1992) was made by the War Minister, with his  
15 consent given to the direct demand of the Chief of  
16 the General Staff.

17 "9. The matters concerning the employment  
18 of prisoners of war in the construction works of the  
19 Burma-Siam Railways were decided through direct nego-  
20 tiations between the Chief of the General Staff and  
21 the Minister of War. The relative construction order  
22 was drafted and issued by the General Staff Office.

23 "10. The Vice-Minister of War had no material  
24 connection whatever with the drafting of the bill for  
25 the revision of the Disciplinary Law for Prisoners of

1 War (court exhibit No. 1965-A). To be more precise,  
2 the bill was drafted and formulated by the burcaus and  
3 sections concerned to meet the actual requirement, and  
4 after consultations with the Legislative Bureau, it  
5 was decided at a Cabinet Council and then approved by  
6 the Diet. The fact is that Vice-Minister KIMURA knew  
7 the bill and the reason thereof only a few days prior  
8 to its introduction to the Diet and that he explained  
9 the reason before the Diet session.

10 "11. Like Vice-Ministers of other minis-  
11 tries, Vice-Minister KIMURA was entrusted with the  
12 task of either a member or a councilor of various  
13 committees, but many such committees were established  
14 customarily in each ministry and most of them were  
15 only nominal. Vice-Minister KIMURA did not attend  
16 most of these committee meetings, and even if he at-  
17 tended them on very rare occasions, his attendance was  
18 nothing but formal or conventional.

19 "12. Vice-Minister KIMURA did never attend  
20 the meetings of the commanders of the prisoner of war  
21 camps in the Ministry of War.

22 "13. At the time when the Minister of War  
23 delivered instructions to the Commander of the Zentsuji  
24 Division on May 30, 1942 (court exhibit No. 1960),  
25 Vice-Minister KIMURA did not attend on the Minister's

1 tour of inspection. Nor did the Vice-Minister par-  
2 ticipate in drafting the manuscript of the instructions.

3 "14. I have never seen nor read 'The Report  
4 on the Violent Conducts in Malaya Peninsula' (court  
5 exhibit No. 476), nor have I heard of it from Vice-  
6 Minister KIMURA.

7 "15. I have never heard that Vice-Minister  
8 KIMURA supported the German-Japanese Military Alliance.

9 "16. The contact of Vice-Minister KIMURA  
10 with the German military officers in Japan was limited  
11 to the exchange of ceremonial greetings or compliments  
12 on festival days and so forth. He never met them on  
13 other business."

14 Your witness.

15 THE PRESIDENT: Colonel Mornane.  
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## 1 CROSS-EXAMINATION

2 BY COLONEL MORNANE:

3 Q Witness, do you remember being seen on the  
4 25th of September by Mr. Monaghan of the International  
5 Prosecution Section?

6 A Yes.

7 Q Did you tell him something about a document  
8 that he produced to you?

9 A Yes.

10 Q Did you tell him that the document he produced  
11 to you was a copy of a telegram which was delivered  
12 to the Military Affairs Bureau of the War Ministry  
13 in Tokyo on or about the 25th of April, 1942, and  
14 brought to the attention of General KIMURA?15 A It is a little different from what I actually  
16 said.

17 Q What did you say?

18 A This is a document which, after passing  
19 through the Military Affairs Bureau, was seen by the  
20 Vice Minister of War.21 COLONEL MORNANE: Yes. Could the witness  
22 be shown this document?23 Q Would you read that through, Witness; just  
24 to yourself? Read it to yourself. Is that a copy of  
25 the document which was shown to you?

1 A Yes.

2 COLONEL MORNANE: I tender that document,  
3 IPS document No. 629, in evidence, may it please the  
4 Tribunal. The document is--

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution document  
7 No. 629 will receive exhibit No. 3370.

8 (Whereupon, the document above  
9 referred to was marked prosecution exhibit  
10 No. 3370 and received in evidence.)

11 THE PRESIDENT: It is a document of some  
12 length, is it?

13 We will adjourn until half-past one.

14 (Whereupon, at 1200, a recess was taken.)  
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## AFTERNOON SESSION

1 The Tribunal met, pursuant to recess, at 1330.

2 MARSHAL OF THE COURT: The International  
3 Military Tribunal for the Far East is now resumed.

4 THE PRESIDENT: Colonel Mornane.

5 - - -

6  
7 T A D A K A T S U T A N A K A, called as a witness  
8 on behalf of the defense, resumed the stand and  
9 testified through Japanese interpreters as  
10 follows:

11 COLONEL MORNAME: If the Tribunal pleases,  
12 immediately prior to the lunch adjournment, exhibit  
13 3370 had been admitted in evidence. I now propose  
14 to read it:

15 "Secret

16 "Addressed to the Assistant Minister of War  
17 from the Chief of the Staff of the Expeditionary  
18 Force to China

19 "Gen Staff 2 Tel No. 303

20 "April 25, 1942

21 "As we cannot allow American air force, after  
22 inhumanly blind-bombing at the time of air raids of  
23 the Mainland, to escape to the Chinese continent  
24 seeking the base or hoping to strive for their safety  
25

1 by becoming prisoners of war, we want positively to  
2 destroy such enemies and as such actions contain  
3 espionage elements." Full stop. "Also we wish to  
4 make a statement to the effect that we intend to  
5 punish such actions with severity to be grave offences  
6 of war. But it may have some relations to international  
7 laws and provisions, we wish to have the prompt opin-  
8 ions from the Center as regards to this matter."

9 THE PRESIDENT: That is a very poor trans-  
10 lation, isn't it?

11 COLONEL MORNANE: That is probably so, your  
12 Honor. I don't wish to mislead the Tribunal as to  
13 this document. This document was part of the I.P.S.  
14 files, translation was made, and the document can no  
15 longer be found -- the original document.

16 In those circumstances, this document was  
17 put to the witness, and he accepts it.

18 That concludes my cross-examination.

19 MR. HOWARD: Mr. President.

20 THE PRESIDENT: Mr. Howard.

21 MR. HOWARD: I would like to ask one ques-  
22 tion on redirect.

23 REDIRECT EXAMINATION

24 BY MR. HOWARD:

25 Q Who was responsible for the treatment of the

1 documents addressed to the Vice-Minister of War?

2 COLONEL MORNAME: If the Tribunal pleases,  
3 I object to this as not arising out of examination  
4 in chief.

5 THE PRESIDENT: How does it arise?

6 MR. HOWARD: The document that he just read  
7 in evidence was addressed to the Vice-Minister.

8 THE PRESIDENT: Well, that does not make that  
9 question admissible. Objection allowed.

10 MR. HOWARD: May the witness be excused on  
11 the usual terms?

12 THE PRESIDENT: He is excused accordingly.

13 MR. HOWARD: That concludes the individual  
14 phase of KIMURA.

15 THE PRESIDENT: I understand the Russian  
16 witnesses for cross-examination are now available.

17 COLONEL IVANOV: I now call the witness  
18 TAKEBE, Rokuzo.

19 THE PRESIDENT: Colonel Ivanov, at this  
20 stage all you can do is call the witness for cross-  
21 examination by the defense. Do you propose to do any  
22 more than that?  
23  
24  
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1 R O K U Z O T A K E B E, called as a witness on  
2 behalf of the prosecution, being first duly  
3 sworn, testified through Japanese interpreters  
4 as follows:

5 COLONEL IVANOV: Your Honor, I answer to  
6 the question put by you. I propose to ask the wit-  
7 ness several questions as to his personality and  
8 then tender the corrections and additions to his main  
9 affidavit, which are contained in his second affidavit,  
10 in his second additional affidavit made at his own  
11 request.

12 THE PRESIDENT: We cannot allow you to do  
13 any more than call him for cross-examination by the  
14 defense. After their cross-examination has been con-  
15 cluded, it may be that you will be able to get in  
16 these matters which appear in the additional affidavit,  
17 but we cannot say that at the present time.

18 COLONEL IVANOV: As you please, your Honor,  
19 I will only identify the witness, and all that I was  
20 going to do I will do after the cross-examination is  
21 finished.

22 DIRECT EXAMINATION

23 BY COLONEL IVANOV:

24 Q State your name and surname, Mr. Witness.

25 A My name is TAKEBE, Rokuzo.

Q What is your age?

A Fifty five.

Q What was your position in the Manchukuoan Government and during what period of time?

A From July, 1940, to August, 1945, I held the office of Chief of the General Affairs Department of the Government of Manchukuo.

Q You are interned in the Soviet Union, are you not?

A Yes, I am presently interned.

COLONEL IVANOV: May the witness be shown exhibit No. 670, already admitted by the court.

(Whereupon, a document was handed to the witness.)

Q Mr. Witness, is that your affidavit and did you sign it?

A This affidavit was written in my own handwriting and signed by me.

Q Did you give evidence truthfully and without duress?

A Yes.

Q Are the contents of the affidavit true and correct?

A Yes, what I have written contains the truth and is correct. However, on October 20, I made two

1 corrections and prepared an additional affidavit  
2 containing these corrections. I wish that this  
3 affidavit may be used as reference.

4 Q Except these two corrections mentioned in  
5 your additional affidavit, there are no more correc-  
6 tions, is that so?

7 A There are none.

8 COLONEL IVANOV: Your Honor, may I now at  
9 this stage find out through oral examination the  
10 corrections which the witness made in his additional  
11 affidavit, or will I be permitted to tender this  
12 additional affidavit containing these additions and  
13 corrections made by the witness? I think that will  
14 save time.

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1 THE PRESIDENT: Major Blakeney.

2 MR. BLAKENEY: If that constitutes a tender  
3 into evidence, I wish to be heard in objection. I  
4 have no objection to corrections being made by the  
5 witness in the usual way, but inspection will  
6 show that this document being tendered is not a  
7 correction.

8 THE PRESIDENT: He must make the corrections  
9 without tendering the document, Colonel.

10 BY COLONEL IVANOV (Continued):

11 Q Mr. Witness, what amendments do you wish  
12 to make in your affidavit of March 26, 1946? Will  
13 you name them?

14 A The first point is that in my original  
15 affidavit I stated that the subsidy given to the  
16 Manchurian Heavy Industry Development Company between  
17 1937 and 1945 was ¥500,000,000. This was a mistake  
18 on my part and since putting down that figure I  
19 recall that the more accurate amount was ¥300,000,000  
20 or thereabouts.

21 The second point is with reference to a  
22 statement that I made in my original affidavit of  
23 March 26 last year in connection with the addresses  
24 that I heard delivered by former War Minister ARAKI  
25 and Lieutenant Colonel SUZUKI, Teiichi. Since my

1 expression -- Since the expression of my thoughts  
2 in connection with these addresses were not  
3 necessarily accurate, I made further additions  
4 by way of supplement in order to make the points  
5 as clear as possible.

6 MR. BLAKENEY: That being the condition  
7 of affairs, your Honor, I object to any further  
8 so-called corrections. The witness has plainly  
9 said he is making additions. In Japanese he said  
10 he is making explanation.

11 THE PRESIDENT: Mr. Levin.

12 MR. LEVIN: Mr. President, I also want to  
13 join in the objection, specifically on behalf of the  
14 accused SUZUKI.

15 THE PRESIDENT: The correct course I  
16 suggest to Colonel Ivanov is to now invite cross-  
17 examination, and you may be able to clear up in  
18 re-examination anything that is dealt with in this  
19 additional affidavit.

20 COLONEL IVANOV: Your Honor, may I answer  
21 defense objections?

22 Your Honor, the Tribunal never denied  
23 a witness the right of correcting, clarifying or  
24 supplementing his testimony. The practice of the  
25 Tribunal abounds in examples when prosecution and

1 defense witnesses used that right. For instance,  
2 I remember that during the Soviet phase of the  
3 defense case, there were presented two affidavits  
4 of the witness IIMURA and the second affidavit  
5 supplemented the first one.

6 THE PRESIDENT: This, of course, is the  
7 defense case and we must prevent you from tendering  
8 evidence, originally really, in the course of  
9 their case. You are allowed to make any necessary  
10 corrections, but whether this additional matter  
11 amounts to corrections or something additional is  
12 a question and I think we should have cross-  
13 examination first. The witness will not be  
14 prevented from making any corrections or explanations  
15 at the proper time.

16 COLONEL IVANOV: Your Honor, in the  
17 submission of the prosecution, due to the witnesses  
18 of the Soviet phase of the prosecution being  
19 summoned, the individual phases of the defense case  
20 have been temporarily suspended.

21 As to the short period of time in the course  
22 of which prosecution witnesses are examined, the  
23 order of procedure should be enforced which was  
24 established for general phases of the prosecution  
25 case. In my submission, this entitles us to offer

1 an additional affidavit of the witness, correcting  
2 and supplementing his first affidavit.

3 THE PRESIDENT: You could not do this in  
4 a national court. If a witness is called for cross-  
5 examination only, he is cross-examined and nothing  
6 else happens.

7 COLONEL IVANOV: I would like to put one  
8 more question to the witness.

9 BY COLONEL IVANOV (Continued):

10 Q Mr. Witness, do you wish to give an  
11 additional explanation of the additions which you  
12 were going to make in your affidavit concerning the  
13 second point mentioned by you?

14 COLONEL IVANOV: I ask this question  
15 because the reply of the witness was interrupted  
16 by the discussion on these procedural matters. He  
17 didn't finish his answer.

18 MR. BLAKENEY: I object to it on the same  
19 ground as previously stated.

20 THE PRESIDENT: I have explained repeatedly  
21 this afternoon that you are allowed to make  
22 corrections, but here you are making something in  
23 addition; you are making explanations. And  
24 although this is the Russian prosecution being  
25 presented, that presentation has been limited for

1 the time being to cross-examination. The sole  
2 purpose of having this witness here today is to  
3 have him cross-examined.

4 COLONEL IVANOV: Your Honor, am I  
5 permitted to make additional explanations mentioned  
6 by the witness?

7 BY COLONEL IVANOV (Continued):

8 Q Mr. Witness, what corrections or explan-  
9 ations do you want to make concerning the addresses  
10 made by ARAKI and SUZUKI at the Prefectural  
11 Governors Conference in 1933?

12 (The witness started to speak in Japanese)

13 MR. BLAKENEY: Just a minute.

14 I object, your Honor, to the witness being  
15 asked to add explanations or supplements to his  
16 testimony as already recorded.

17 MR. LEVIN: Mr. President, on behalf of  
18 the accused SUZUKI, I join with Mr. Blakeney in the  
19 objection which he made, but I make the further  
20 objection that he should not be permitted to make  
21 any statement in relation to any speech by the  
22 accused ARAKI, because the accused ARAKI has already  
23 presented his case.

24 THE PRESIDENT: If, in the course of making  
25 a correction, ARAKI is mentioned in some way or is

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1 prejudiced, you will be able then to meet that.

2 We have already reserved that right.

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1 MR. LEVIN: I might say, Mr. President, that I  
2 understand there are three others in the same position  
3 as the accused SUZUKI, in the same position as the  
4 accused ARAKI.

5 On the other hand, Mr. President, I want to  
6 add further that that does not minimize the situation  
7 in which we are placed; that is, this witness has been  
8 brought here purely for cross-examination. He should  
9 not be permitted by way of correction to give substantive  
10 testimony, that is, any new evidence, before the cross-  
11 examination begins.

12 COLONEL IVANOV: Your Honor, the witness already  
13 told the Court that he wishes to make corrections and  
14 additions to his first affidavit. The Tribunal has per-  
15 mitted the prosecution to make these corrections and  
16 additions, and I do not understand why the defense  
17 counsel do not permit him to finish his answers.

18 THE PRESIDENT: The majority of the Court has  
19 decided to let you do as you propose, Colonel Ivanov,  
20 so proceed to tender the affidavit if you so desire.

21 COLONEL IVANOV: May the witness be shown  
22 prosecution document 2239-1?

23 (Whereupon, a paper was handed to  
24 the witness.)

25 Q Is this affidavit written by you, in your own

hand, and does it bear your signature?

1 A Yes.

2 Q Are the contents thereof true and correct?

3 A Yes, true and correct.

4 COLONEL IVANOV: I tender prosecution document  
5 No. 223<sup>c</sup>-A in evidence. This is an affidavit of the  
6 witness TAKEBE, Rokuzo which makes more precise and  
7 completes several paragraphs of the exhibit 670.

8 THE PRESIDENT: Major Blakeney.

9 MR. BLAKENEY: If the Tribunal please, I wish  
10 to be heard in objection.

11 THE PRESIDENT: You have already made it,  
12 Major. You can adopt what you have already said. Isn't  
13 that sufficient?

14 MR. BLAKENEY: That would not serve the purpose  
15 at all, if the Tribunal please. I haven't made any  
16 argument on this affidavit, but only on the oral ques-  
17 tions which were put.

18 THE PRESIDENT: Well, it is not by way of  
19 correction; it is really supplementary, and we have  
20 heard you on that. The Court desires to receive the  
21 document, so you are only wasting time objecting.

22 MR. BLAKENEY: I haven't been heard, but --

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution document  
25

1 2239-A will receive exhibit No. 3371.

2 (Whereupon, the document above re-  
3 referred to was marked prosecution exhibit No.  
4 3371 and received in evidence.)

5 COLONEL IVANOV: With the permission of the  
6 Tribunal, I will read the additional affidavit of the  
7 witness TAKEBE:

8 "In addition to my testimony which I myself, in  
9 my own hand, put down in the interrogation of March 26,  
10 1946, I must make the following supplementary statements:

11 "1. On page 11 of the Japanese text of my  
12 testimony there is some inaccuracy which was due to an  
13 error of my memory, and which I wish to correct. Speak-  
14 ing of the amount of subsidies disbursed by the Manchu-  
15 kuan Government to the Manchurian Heavy Industry  
16 Development Company, I wrote that beginning from 1937  
17 the total amount of subsidies had been about 500 million  
18 yen; now I have recollected that this amount was 300  
19 million yen or thereabouts.

20  
21 "2. On page 11 of the Japanese text I, speak-  
22 ing of the prefectural governors' conference at which I  
23 had heard ARAKI's and SUZUKI's addresses, did not ex-  
24 press my thoughts quite correctly. As the result of  
25 this, there is some inaccuracy in my answer. To make  
26 the whole of my answer regarding this matter absolutely

1 clear, I wish to make the following additional state-  
2 ment:

3 "While I was the governor of Akita Prefecture  
4 from June, 1932 to January, 1935, I attended the pre-  
5 fectural governors' conferences several times. The  
6 conference was convened regularly every year in Tokyo.  
7 At one of these conferences which took place, as far as  
8 I remember, in 1933, at the Great Auditorium of the  
9 Toyama Military School in Tokyo, I heard the address  
10 made by the Japanese War Minister, ARAKI, Sadao.

11 "The gist of ARAKI's address was that Japan  
12 had brought about the Manchurian Incident, established  
13 the state of Manchukuo, and her interests came to a  
14 clash with the interests of the states - members of the  
15 League of Nations. In this critical period it was  
16 necessary for Japan to strengthen her defense, her  
17 internal conditions and to secure military bases on the  
18 continent. Japan was to inevitably clash with the  
19 Soviet Union in the course of the effectuation of her  
20 policies, therefore it was necessary for Japan to se-  
21 cure for herself through military methods the terri-  
22 tories of the Maritime Province, Zabaikalye and Siberia.  
23 After ARAKI had finished, Lt. Colonel SUZUKI, Teiichi,  
24 a member of the War Affairs Section of the Military  
25 Affairs Bureau of the Japanese War Ministry, stated

orally in ARAKI's presence, (using a map of Manchuria, China and the Soviet Union which had been hung). SUZUKI described the various problems on matters pertaining to the international situation.

"The gist of SUZUKI's oral statement consisted in laying the ground for the necessity of Japan's war against the Soviet Union and for the necessity of capturing the Soviet Maritime Province, Zabaikalye and Siberia.

"Naturally, at the present time I do not remember the exact wording of ARAKI's and SUZUKI's statements, as many years have elapsed since then.

"3. To clarify the nature of my activities as Chief of the General Affairs Department of the Manchukuo Government in the period from 1940 to 1945 I must add the following:

"The General Affairs Department guided by me was under the direct control of the Prime Minister of Manchukuo. All the ministers of the Manchukuan Government were under the control of the General Affairs Department. Thus, the ministries with the General Affairs Department formed the Government of Manchukuo. The responsibility for the administration throughout the whole country rested with me. The Vice-Chief of the General Affairs Department and all vice-ministers who in Manchuria were all Japanese were under me. All these

1 persons met for conferences once a week, on Tuesdays.  
2 Drafts of decisions on some or other matters made at  
3 these conferences were submitted for deliberation to the  
4 cabinet meetings which would take place on Wednesdays.

5 "As chief of the General Affairs Department of  
6 the Manchukuo /Government/ I was directly under the  
7 control of General UMEZU, Commander in Chief of the  
8 Kwantung Army and from July, 1944 under General YAMADA.

9 "The Commander in Chief of the Kwantung Army  
10 carried out actual guidance of the Manchukuo Govern-  
11 ment. According to the established rule, chief of the  
12 General Affairs Department met the Commander in Chief on  
13 Saturday each week. On those days chief of the General  
14 Affairs Department reported to the Commander in Chief  
15 on various matters and received instructions from the  
16 latter for future matters. In case of necessity, he  
17 met the Commander in Chief in the middle of the week to  
18 get instructions. All basic and important matters as  
19 well as measures undertaken by the Manchukuo Government  
20 had to be sanctioned by the Commander in Chief of the  
21 Kwantung Army. Besides the Commander in Chief of the  
22 Kwantung Army, the following persons were usually present  
23 at the conferences on Saturdays: Chief of Staff of the  
24 Kwantung Army, his deputy, chief of the 4th Section, and  
25 Lt. General MIYAKE, Chief of the Central Headquarters

1 of the KYO-WA-KAI Society. Lt. General MIYAKE also  
2 reported to the Commander in Chief on the most important  
3 matters pertaining to the activities of the KYO-WA-KAI  
4 Society and received from him instructions concerning  
5 his work. Thus, the Commander in Chief of the Kwantung  
6 Army directed not only /the activities of/ the Manchukuo  
7 Government but also / those of/ the KYO-WA-KAI Society.

8 "4. On page 3 of the Japanese text of my  
9 testimony dated March 26, 1946, I enumerated principal  
10 measures which had been carried out by the Manchukuo  
11 Government for the purpose of creation of a military  
12 base for a war against the Soviet Union. To this I add  
13 that detailed instructions concerning the realization of  
14 the measures enumerated by me, i.e., concerning the  
15 construction of various military objectives, strategic  
16 railroads, airfields, border fortifications and others  
17 were given me by General UMEZU, the Commander in Chief  
18 of the Kwantung Army.

19 "5. I must add the following to my testimony  
20 concerning the Kan-Toku-En /plan/. In summer 1941, I  
21 went to Tokyo and visited Prime Minister TOJO. During  
22 our conversation he said to me that in connection with  
23 the military Kan-Toku-En plan it was necessary for the  
24 Manchukuo Government to take measures for supplying the  
25 Kwantung Army /with all that was necessary/.

1 "I received all instructions concerning the  
2 realization of the measures for the Kan-Toku-En plan as  
3 regards the Kwantung Army from General UMEZU, Commander  
4 in Chief of the Kwantung Army and from Chief of his  
5 Staff. It is also necessary to point out that 5th  
6 Section under Colonel IKEDA, Sumihisa was organized in  
7 the Headquarters of the Kwantung Army in 1941. This  
8 section was engaged in studying an occupational system  
9 for the territories of the Soviet Union, which was  
10 planned to occupy. The leading Japanese officials of  
11 the Manchukuo Government participated in this study.

12 "6. Concerning the construction of military  
13 objects in Manchuria, it is necessary to point out that  
14 the construction had been carried out even prior to my  
15 appointment as chief of the General Affairs Department  
16 of the Manchukuo Government.

17 "My predecessor at this post up to 1940 was  
18 HOSHINO, Naoki who in his activities, and in particular  
19 to the activities pertaining to the construction of  
20 military objects in Manchuria as a military base against  
21 the USSR acted in accordance with the instructions of  
22 the Kwantung Army Commander and the Chief of its Staff.

23 "Chiefs of the Kwantung Army Staff TOJO,  
24 Hideki and ITAGAKI, Seishiro endeavored to carry out  
25 military measures directed against the Soviet Union and

1 used Manchukuo resources for that purpose. From 1935  
2 through 1938 I stayed in Manchuria holding the offices  
3 of Chief of the Administrative Section and then of  
4 Chief of the Kwantung Territory Bureau."

5 Signed, "TAKEBE, Rekuzo."

6 The defense may cross-examine witness TAKEBE,  
7 Rekuzo.

8 MR. BLAKENEY: If permitted, I should like  
9 before commencing, to make a statement of opposition.

10 THE PRESIDENT: This Court -- I do not know  
11 what you have to say, Major Blakeney, but don't bring  
12 up that matter we have just closed.

13 MR. BLAKENEY: I don't think I have ever brought  
14 up a matter that has been closed, so far as I know. I  
15 have no desire to do so now.

16 COLONEL IVANOV: Your Honor, I must categorically  
17 object to the defense making preliminary statements, as  
18 the prosecution has made no such statements.

19 THE PRESIDENT: We must hear what Major Blakeney  
20 is going to say.

21 MR. BLAKENEY: Language Section, this is paper  
22 No. 1.

23 In connection with the tender by the Soviet  
24 prosecution of five witnesses for cross-examination, I  
25 should like to call the attention of the Tribunal to one

1 or two points bearing on the Soviet phase. One is that  
2 the defense must request leave to reopen its general  
3 Soviet phase for the introduction of additional evi-  
4 dence as may be necessary after the cross-examination  
5 of these witnesses now produced. This request is neces-  
6 sitated also by the fact that the affidavits of some  
7 ten or twelve additional witnesses, who have not been  
8 tendered for cross-examination, are now, by order of the  
9 Tribunal, entered on 17 June 1947, stricken from the  
10 record or (in the case of three of them) apparently to  
11 be disregarded. Since the defense itself made, subject  
12 to their final reception, some use of those affidavits,  
13 we may wish to adduce other evidence in substitution  
14 therefor. Hence we shall, with the Tribunal's approval,  
15 at some appropriate time offer further evidence in our  
16 Soviet general phase.

18 And paper No. 2: Before commencing cross-  
19 examination, I wish to remind the Tribunal that a  
20 subpoena for the attendance of this witness was issued,  
21 at the motion of the defendant UMEZU, on 16 September  
22 1946. The subpoena being later recalled, the defense  
23 was ordered provided with facilities for interrogation  
24 of the witness -- in Siberia, of course, where he then  
25 was. Now that he is present within the jurisdiction of  
the Tribunal, I wish to request that upon conclusion of

1 his cross-examination he be made available to the defense  
2 for taking his testimony to be used, if we deem it ad-  
3 visable, in our behalf. The precedent for this pro-  
4 cedure may be found in the case of General MATSUMURA,  
5 record page 8154 at seq.

6 THE PRESIDENT: I will deal with that matter in  
7 chambers, if necessary.

8 GENERAL VASILIEV: Mr. Blakeney read his state-  
9 ment with simultaneous translation, and the text of this  
10 statement wasn't given to the Russian interpreters, and  
11 therefore we could not hear it because he was reading  
12 very fast and our interpreters could not interpret him.  
13 Therefore we ask some time to get familiar with his  
14 statement and then we shall answer the Tribunal concern-  
15 ing this statement.

16 And now Mr. Blakeney may cross-examine the  
17 witness.

18 THE PRESIDENT: You may withhold your reply  
19 until you have a translation of what Major Blakeney  
20 said.

21 We will proceed with the cross-examination.

22 GENERAL VASILIEV: Thank you, your Honor.

23 CROSS EXAMINATION.

24 BY MR. BLAKENEY:

25 Q Mr. Witness, have you before you your affidavit,

exhibit 670?

1           A    No, I do not.

2           MR. BLAKENEY: Let it be handed to him, please.

3                   (Whereupon, a paper was handed to  
4           the witness.)

5           Q    Now, you state on page 1 of that document, do  
6   you not, that the purpose of the Kwantung Army being  
7   stationed in Manchuria was for defense. I dare say it  
8   is page 2 of the Japanese.  
9

10          A    Yes, that is how I state the point.

11          Q    And that statement is true, is it not?

12          A    As I have replied in my affidavit, the troops  
13   were stationed in Manchuria for purposes of defense, but  
14   to take -- to assume a position of attack in carrying  
15   out that defensive purpose. I have further supplemented  
16   that statement of mine later on, stating to the effect  
17   that generally after 1944, after the war of Greater East  
18   Asia turned unfavorably for Japan, that the Japanese  
19   position in Manchuria became purely defensive.

20          Q    Well, let's not go into the Kan-Toku-En now.

21          A    But as I have written somewhere else about the  
22   Kan-Toku-En --

23          Q    We will come to that later. What I am trying  
24   to do now is simply to get you to affirm that you stated  
25   the truth in your affidavit when you said that the

1 purpose of the Kwantung Army being stationed in Man-  
2 churia was for defense.

3 COLONEL IVANOV: The witness had already  
4 given full and detailed answer to this question. The  
5 prosecution objects.

6 THE PRESIDENT: Objection overruled.

7 Q That is true, isn't it?

8 A It is exactly as I have written in my affidavit.

9 Q And it is exactly as I have just stated it,  
10 isn't it?

11 A Will you be good enough to repeat again?

12 Q That the purpose of the Kwantung Army being  
13 stationed in Manchuria was for defense.

14 A It is exactly as you say.

15 Q Right. And not only the Kwantung Army, but all  
16 the military installations constructed by Japan in  
17 Manchuria had the function of serving that fundamental  
18 purpose in some way, had they not?

19 A Yes.

20 Q And that was the way you understood it at  
21 all times, that you were connected with Manchuria, was  
22 it not?

23 A That was my understanding during my tenure of  
24 office as Chief of the General Affairs Board.

25 Q Now, in your affidavit, and also in your oral

1 explanation which I rather rudely interrupted a moment  
2 ago, you went on to say that it was intended to carry  
3 out that purpose of defense, but prepared for the offens-  
4 ive, as I understood you.

5 A I could not fully comprehend the question.

6 Q That as you understood it, the Kwantung Army,  
7 at least in the early years of your tenure there, prepare  
8 to carry out its mission of defense, by keeping itself  
9 ready to take the offensive.

10 A Yes.  
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1 Q This affidavit is written in your own  
2 hand, isn't it?

3 A Yes, in my handwriting.

4 Q Q And is the language, the wording of it,  
5 all your own?

6 A Yes, in my own language.

7 Q In that case, when you say, on page 2 of the  
8 English version, page 2 also, I think, of the Japan-  
9 ese version, that the aim of Japan's development of  
10 Manchuria was to prepare for attack against the USSR,  
11 I assume that you misunderstood the question.

12 A I do not think I misunderstood the question.  
13 At least it was not my intention. I said that the  
14 purpose for the stationing of troops in Manchuria  
15 was to carry out the objective of defense and, to  
16 carry out the defensive purposes, to assume a posi-  
17 tion necessary for offensive action. The question  
18 that was put to me in this connection was whether  
19 or not it was the ultimate aim of Japan to prepare  
20 an economic base for operations against the USSR, and  
21 my answer was that, inasmuch as the economic re-  
22 sources of Manchukuo were to be used for the defens-  
23 ive purposes of the Kwantung Army in this regard, I  
24 replied "Yes." Let me explain further. My reason  
25 for replying "Yes" to the question was that the

defensive strategy of the Kwantung Army lay in attack  
1 against -- attack or offensive action against the  
2 USSR, and I think it was only natural that for de-  
3 fensive purposes the Kwantung Army should assume a  
4 position preparatory -- assume a position necessary  
5 for offensive action.

6 Q Well, I think we quite agree. But, in  
7 answer to this last question in the affidavit, when  
8 you said it was for attack, you didn't mean, did you,  
9 for aggression but you meant for attack whenever  
10 and however that might become necessary?

11 A Yes, that was my meaning in so stating.

12 Q You became Chief of General Affairs in  
13 Manchukuo when?

14 A In July, 1940.

15 Q Who selected you for that position?

16 A General ULEZU, at that time Commanding  
17 General of the Kwantung Army.

18 Q Did you know General ULEZU before that?

19 A We were not necessarily closely acquainted.

20 Q Did he know you?

21 A I think he did.

22 Q Where had he known you before?

23 A I do not remember where.

24 Q How do you know who selected you for the  
25

1 position of Chief of General Affairs?

2 A At the time I assumed the post of Chief of  
3 the General Affairs Board of Manchukuo, the talk with  
4 regard to my possible assumption of that office was  
5 brought to me by one, UZAWA, Michio, who came as a  
6 representative of General Umezu.

1 Q Was YUZAWA, Michio a military man?

2 A No, not a military man.

3 Q Home Ministry man, wasn't he?

4 A Yes, an official of the Home Ministry.

5 Q What did he tell you when he came to you?

6 A It was an oral request made to me, asking me  
7 to take over the post as Chief of the General Affairs  
8 of the Manchukuo Government, which request I accepted.

9 Q Did Mr. YUZAWA tell you how General UMEZU  
10 came to select you?

11 A No, he didn't.

12 Q Did he tell you that you were selected by  
13 General UMEZU on the recommendation of himself, Mr.  
14 YUZAWA?

15 A No, he did not say anything in particular.

16 Q Had you ever worked for General UMEZU before  
17 that time?

18 A No.

19 Q Prior to the time you became Chief of General  
20 Affairs in July 1940, when were you last in Manchuria?

21 A From January 1935 to April 1938 I was in the  
22 service of the Kwantung Government General in Hsinking,  
23 and therefore the last time I was in Manchukuo was  
24 April 1938.

25 Q And from April 1938 until July 1940 you were not

in Manchuria at all, is that correct?

A No, I was not in Manchukuo.

1 Q In fact, you were in Japan proper, weren't you?

2 A Yes.

3 Q As Vice President of the Cabinet Planning  
4 Board?

5 A Yes, for one year during that period, that  
6 is to say, between April 1938 and July 1940.

7 Q That one year was the latter part of that  
8 time, wasn't it?

9 A Well, I should say somewhere right in the  
10 middle, because I was Vice President of the Planning  
11 Board between January 1939 and January 1940.

12 Q At all events, during the period of April 1938  
13 to July 1940 you had no personal knowledge of what was  
14 taking place in Manchuria, had you?

15 A No, no personal knowledge.

16 Q You have never been a military man, have you?

17 A I have never been a military man.

18 Q You don't pretend to be an expert on military  
19 questions, do you?

20 A No, I am not an expert.

21 Q And during the time you were serving as Chief of  
22 General Affairs in Manchukuo you were not taken into  
23 consultation by the commander-in-chief or the staff  
24  
25

1 officers of the Kwantung Army on military matters,  
2 were you? Let's amend that to say operational  
3 matters?

4 A As I have stated in my affidavit, the  
5 Kwantung Army kept strictly secret from me anything  
6 pertaining to operational plans, but they consulted  
7 me with respect to political and economic or such measures

8 Q All of the operational plans of the Kwantung  
9 Army were matters of the highest military secrecy,  
10 weren't they?

11 A Yes, to anyone outside of the Kwantung Army.

12 THE PRESIDENT: We will recess for fifteen  
13 minutes.

14 (Whereupon, at 1445, a recess was  
15 taken until 1500, after which the proceed-  
16 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: General Vasiliev.

4 GENERAL VASILIEV: May I be permitted to  
5 reply to the defense motion?

6 As far as the interrogation of TAKEBE, Rokuzo  
7 as a defense witness is concerned, then if the Tribunal  
8 will grant this application to the defense we will  
9 gladly comply with the wishes of the Tribunal and will  
10 submit TAKEBE, Rokuzo to the defense.

11 Then defense asks to be given possibility to  
12 submit additional evidence in connection with the  
13 cross-examination of these witnesses. We can't ob-  
14 ject to this on principle if certainly there is prac-  
15 tical necessity for that. But from our point of view  
16 this witness at any rate had said nothing new, all of  
17 which he says was known previously. There is no  
18 necessity to submit any additional evidence at any  
19 rate in connection with this witness. If in the course  
20 of the cross-examination there will be such necessity  
21 we won't object to the introduction of additional  
22 material.

23 As far as the affidavits of the witnesses  
24 which were not produced here are concerned, I ask the  
25 permission of the Court to make a statement concerning

1 this after the cross-examination of these witnesses.  
2 I ask the Court to hear our view on this question.  
3 As far as I know Mr. Chief of Counsel is preparing  
4 argumentation concerning these questions and is  
5 going to make a statement in court himself.

6 THE PRESIDENT: Yes.

7 We will proceed with the cross-examination.

8 CROSS-EXAMINATION

9 BY MR. BLAKENEY (Continued):

10 Q You had just said before recess that all  
11 operational orders of the Kwantung Army were of the  
12 highest military secrecy so far as concerns any per-  
13 sons outside of the Kwantung Army. You were such a  
14 person outside of the Kwantung Army, were you not?

15 A Yes. I have a request to make to the Tri-  
16 bunal. I should like to borrow my affidavit.

17 MR. BLAKENEY: I have no objection.

18 (Whereupon, a document was handed  
19 to the witness.)

20 Q But you know very well what's in your affi-  
21 davits, don't you?

22 A Yes.

23 Q Now, you say that you have often heard dis-  
24 cussions of the possibility of a Soviet-Japanese war  
25 from the commanders in chief of the Kwantung Army, or

their chiefs or vice chiefs of staff, is that true?

1       A    Yes.

2       Q    Did you hear such discussions from General  
3 UMEZU, I mean discussions of the possibility of a  
4 Soviet-Japanese war?

5       A    What General UMEZU has frequently told me  
6 in connection with the possibility of a Russo-Japanese  
7 war related mainly to what the government should do  
8 in connection therewith, that is to say, the plans  
9 to further plans for economic development, a more  
10 effective distribution of food supplies, more effective  
11 labor mobilization, and the adequate maintenance of  
12 law and order, matters which were related to the  
13 operational plans of the Kwantung Army in connection  
14 with a possible war with the U.S.S.R.  
15

16       THE MONITOR: Instead of "possible war,"  
17 operation against Russia.

18       A    (Continuing) Such items which I have just  
19 named were related to the operational plans of the  
20 Kwantung Army in so far as they related to the U.S.S.R.  
21 In short, in the very broad sense, the requests made  
22 by the Kwantung Army to the government of Manchukuo  
23 related to their preparations for operational plans  
24 with regard to the Soviet Union.

25       THE INTERPRETER: In a broad sense I think

1 you can say that all demands made by the Kwantung  
2 Army on the government related to their operational  
3 plans against -- vis-a-vis Soviet Russia.

4 Q But, of course, General UMEZU never said to  
5 you that any attack on the U.S.S.R. was planned, did  
6 he?

7 COLONEL IVANOV: Your Honor, I think the  
8 question is more than leading. It contains the  
9 answer.

10 THE PRESIDENT: Well, Colonel, it is a  
11 cross-examiner's privilege to put leading questions  
12 and to suggest the answer.

13 COLONEL IVANOV: I know that, your Honor, but  
14 in this case the defense counsel simply asks the wit-  
15 ness to confirm a statement.

16 THE PRESIDENT: Well, even a cross-examiner  
17 has no right to ask a witness to repeat himself, but  
18 I didn't understand that that was the purpose of the  
19 question.  
20

21 COLONEL IVANOV: I contend that the defense  
22 counsel has already formulated the answer and asks the  
23 witness to confirm it or to repeat it.

24 THE PRESIDENT: Objection overruled.

25 Q That is true, of course, isn't it?

A May I have the question repeated?

1 MR. BLAKENEY: Let the reporter read it.

2 (Whereupon, the Japanese court  
3 reporter read.)

4 A Well, that I fear is a rather difficult  
5 question. I have no recollection whether or not  
6 such language was used.

7 Q Well, don't you recollect that General UMEZU  
8 in any conversation you ever had with him on the sub-  
9 ject made it perfectly clear that the war between  
10 Japan and the U.S.S.R. which was mentioned was to be  
11 in the event of attack on Japan by the U.S.S.R.?

12 A He has not actually personally used such  
13 words.

14 Q You got that pretty clear impression from  
15 his language and his attitude, didn't you?

16 A With regard to that I should like to be per-  
17 mitted to make an explanation.

18 Q Well, after you tell me yes or no.

19 A I should like to explain before I reply  
20 yes or n.

21

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1 MR. BLAKENEY: No, I think we will do it my way  
2 this time.

3 THE PRESIDENT: If you can answer yes or no,  
4 do so. Then you may add an explanation. That is the  
5 usual course which you must follow.

6 THE WITNESS: I think it would be preferable  
7 if you heard my explanation and drew your own con-  
8 clusions on the basis of your judgment whether it would  
9 be yes or no.

10 THE PRESIDENT: Obey the Court and answer yes  
11 or no if you can and then add an explanation if necessary.

12 COLONEL IVANOV: Your Honor, from the reply  
13 made by the witness it is clear that he can't answer  
14 yes or no and he asks the privilege of making an ex-  
15 planation on the basis of which the Court will draw their  
16 own conclusion whether he answered yes or no.

17 THE PRESIDENT: He has not said that he could  
18 not answer yes or no. Let him make another attempt.

19 THE WITNESS: I should like to make my explan-  
20 ation. It might be a long one.

21 THE PRESIDENT: Can you answer yes or no and  
22 then add an explanation?

23 THE INTERPRETER: The witness said, "Whose  
24 question was that?" The Language Section replied, "The  
25 President's." Thereupon the witness said, "I should

1 first like to make an explanation."

2 THE PRESIDENT: You must answer yes or no if you  
3 can.

4 THE WITNESS: With regard to questions of this  
5 kind I think it would be more advisable to make an ex-  
6 planation first.

7 THE PRESIDENT: Well, this is an impossible  
8 witness and we may be put in the position of having to  
9 disregard what he says.

10 COLONEL IVANOV: Your Honor, may I have the  
11 question by the defense counsel repeated? The translation  
12 which we have heard indicates that the question demands  
13 an opinion from the witness -- conclusion by the witness --  
14 that the witness draw some conclusion, but we are not  
15 sure of the translation that I can say this for certain.

16 THE PRESIDENT: He has expressed no difficulty  
17 about recalling the question, but let it be repeated.

18 (Whereupon, the question was read by the  
19 official court reporter as follows: "You got that  
20 pretty clear impression from his language and his  
21 attitude, didn't you?")

22 THE PRESIDENT: Well, can you answer that yes  
23 or no?

24 (Whereupon, Colonel Ivanov spoke in  
25 Russian.)

1 THE PRESIDENT: Oh, Colonel Ivanov, you must not  
2 interrupt. I put the question to the witness and he must  
3 answer it.

4 (To the Witness) Can you answer yes or no the  
5 question that has just been read to you by the court  
6 reporter?

7 THE WITNESS: I shall reply.

8 THE PRESIDENT: Do so.

9 THE WITNESS: General UMEZU made it his duty  
10 to maintain defense, and I should like to add my explan-  
11 ation.

12 MR. BLAKENEY: Well, I think you have already  
13 added it.

14 THE PRESIDENT: If you don't want the explanation  
15 you need not press it. We can regard the question as  
16 he refuses to answer under the circumstances because  
17 he hasn't expressed any inability to answer.

18 MR. BLAKENEY: I don't wish any further answer.  
19 I think the answer given speaks for itself.

20 Q Now, sometime earlier you started to speak of  
21 Kan-Toku-en, that is, the Kwantung Army special maneuver.

22 COLONEL IVANOV: As far as I understand, the  
23 Tribunal permitted the witness not only to answer the  
24 question but also to give his explanation, not only to  
25 answer yes or no, and I consider the defense has no right

1 to deprive him of the right given to him by the Tribunal.

2 THE PRESIDENT: I told Major Blakeney he need  
3 not press for an answer if he wished. If no answer is  
4 given, and none has been given, no explanation need be  
5 made.

6 COLONEL IVANOV: But the witness expressed his  
7 wish to give additional explanation.

8 THE PRESIDENT: He hasn't answered the question.  
9 There is no occasion to explain it. Major Blakeney does  
10 not want his explanation and he is cross-examining.

11 COLONEL IVANOV: Your Honor, but Major Blakeney  
12 stated here in court that he is satisfied with the reply  
13 of the witness.

14 THE PRESIDENT: I don't think you understood  
15 him.

16 Major Blakeney, proceed to put that question  
17 you were about to put when you were interrupted, if you  
18 desire to continue it.

19 BY MAJOR BLAKENEY (Continued):  
20

21 Q I was saying that some time ago you started  
22 to speak of the Kantokuen which is the Kwantung Army  
23 special maneuver. Was that the operational plan for  
24 the Kwantung Army?

25 A I think it was the operational plan of the  
Kwantung Army.

1 Q And as such it also was of high military  
2 secrecy, was it not?

3 A The contents of the Kantokuen were not disclosed  
4 to members of the government.

5 Q Therefore, your knowledge of those contents is  
6 only what you were told, that is, by Generals UMEZU,  
7 KUROKAWA, IKEDA and others, is that correct?

8 A I couldn't comprehend fully the point of the  
9 question.

10 Q All that you know about the contents of the  
11 Kantokuen is what you were told by these generals  
12 whom I have named and perhaps others of the Kwantung  
13 Army staff?

14 A No, all I know is what I was told.

15 Q Because you never saw the actual plan?

16 A Well, I just can't understand what you mean  
17 by seeing the Kantokuen plan; but in connection with  
18 this plan, the Kwantung Army made various demands on  
19 the government such as with regard to labor, as I have  
20 mentioned before. That is to say, the Kwantung Army  
21 had various demands to make upon the government, such  
22 as with respect to labor, funds and other economic  
23 questions, and the government on its part was placed  
24 in a position where it must materialize these demands;  
25 and in connection with such items it becomes known to

1 me that the troop strength of the Kwantung Army has  
2 increased considerably.

3 Q There was no mystery about it. I merely  
4 meant that you never saw a document entitled  
5 "Kantokuen" setting out the full plan for the Kwan-  
6 tung Army special maneuver?

7 A I have not seen the Kantokuen plan in  
8 writing.

9 Q Now, these various people who told you  
10 about it all told you, did they not, that the  
11 Kantokuen was a plan for reinforcing the Kwantung  
12 Army?

13 A I should like to speak of all that I know  
14 with regard to the purpose of the Kantokuen.

15 If my memory serves me right, the war be-  
16 tween Germany and the USSR broke out on June 22,  
17 1941. In the month of July -- immediately after the  
18 outbreak of this war the Kantokuen plan began. Accord-  
19 ing to this Kantokuen plan the strength of the Kwan-  
20 tung Army was to be increased although I do not know  
21 to what extent that strength was to be increased and  
22 in this connection the part that the government was  
23 to play was also to increase. When I learned of the  
24 Kantokuen plan I was, as a matter of fact, very much  
25 astonished and from my own intuition had entertained

1 misgivings that an attack on the USSR was imminent  
2 or that an outbreak of war between Japan and the  
3 USSR was close at hand. Even among the staff  
4 officers of the Kwantung Army there was a feeling  
5 that a war between the USSR and Japan was close at  
6 hand. However, the Kantokuen plan itself was being  
7 directed from Tokyo and even if an inquiry was made  
8 of the Kwantung Army itself they did not know wherein  
9 its purpose lay.

10 With permission from Commanding General  
11 UMEZU I made an airplane trip to Tokyo, I think in  
12 August, 1941. I met with members of the War Ministry  
13 and also -- at that time I think he was Lieutenant  
14 General -- TOJO, the War Minister, and made inquiries  
15 with respect to the objective or purpose of the  
16 Kantokuen plan. What I learned from War Minister  
17 TOJO and other members of the War Ministry was that  
18 no war was near at hand; however, I was unable to  
19 obtain any explanation as to why the Kantokuen plan  
20 was being drawn up, that is, why the Kantokuen plan  
21 was being carried out. With regard to the Kantokuen  
22 plan, War Minister TOJO made a request that every  
23 effort be made by the Manchukuo Government to assist  
24 the plan -- to assist the Kwantung Army.  
25

I returned to Hsinking immediately by plane

1 and assembling my subordinates I said that there  
2 was no war in the very near future and therefore  
3 work in connection with such a possibility was  
4 abandoned and other preparations were taken up.  
5 Inasmuch as I was unable to obtain any explanation  
6 as to the purpose of the Kantokuen plan of the  
7 Kwantung Army I simply had to make judgments on my  
8 own part and in accordance with my own judgment to  
9 carry on my own work; but there must have been some  
10 significance in the fact that the Kwantung Army was  
11 increasing its forces, its strength, in the vicinity  
12 of the border on the other side of which were the  
13 troops of the USSR.

14 THE MONITOR: Japanese court reporter.

15 (Whereupon, the Japanese court  
16 reporter read.)

17 THE MONITOR: Especially the Soviet Union  
18 was right across the border from Manchukuo. There  
19 must have been some meaning in strengthening the  
20 Kwantung Army and the Army must have had the purpose  
21 of preparing for operations against the Soviet Union.

22 A (Continuing) I think the stenographic  
23 transcript of my statement is wrong. I meant to say  
24 that the Kwantung Army was an army that had for its  
25 purpose the preparation of operations against the

1 Soviet Union.

2 I will continue my explanation.

3 It was my belief that the Kantokuen plan  
4 must be something calculated to increase the power  
5 of attack vis-a-vis the Soviet Union, therefore it  
6 must have some kind of a purpose.

7 In view of the existence of the war between  
8 Germany and the USSR and in the light of the world  
9 situation it was my own judgment that some attack  
10 against the Soviet Union might be coming at an  
11 appropriate moment and that the plan in progress was  
12 to prepare for a position for such an attack and,  
13 as I have said before, these were all based upon my  
14 own estimate of the situation and my own judgment,  
15 and I had to proceed with my own work according to  
16 that judgment which I made personally.

17 Q Now, getting back to my question, you under-  
18 stood, didn't you, from the commander in chief and the  
19 staff officers of the Kwantung Army who told you about  
20 the Kantokuen that it was nothing more than a plan  
21 of reinforcement?  
22

23 A Yes, as you say.

24 Q And War Minister TOJO told you the same  
25 thing, didn't he?

A War Minister TOJO did not add any special

explanation.

1           Q   But he did say to you, didn't he, without  
2   stating the reason, that reinforcement of the  
3   Kwantung Army had been decided to be necessary and  
4   was being carried out under the Kantokuen?

5           A   He said that the Kwantung Army was going  
6   to be reinforced and asked that in connection there-  
7   with that the Manchukuo Government give its assistance.  
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1           Q   All the requests made of you by the Kwan-  
2   tung Army after the establishment of the Kantokuen  
3   were such as would indicate reinforcement, were they  
4   not? That is, they requested that more food and  
5   supplies be provided, more transportation to carry  
6   those supplies, more labor to build barracks, and so  
7   on?

8           A   Yes, that is so.

9           Q   Now, did I understand from something you  
10   said a moment ago that there were Soviet troops on  
11   the other side of the border from Manchuria?

12          A   I don't think I said that.

13          Q   Didn't you say that you formed certain con-  
14   clusions because the Kwantung Army was being rein-  
15   forced in Manchuria, which had on the other side of  
16   its border the troops of the USSR?

17          A   Yes, I spoke to that effect, although I did  
18   not use such language.

19          Q   Were there many of these troops on the other  
20   side of the border?

21               COLONEL IVANOV: Your Honor, this question  
22   is outside the scope of the affidavit of the witness.

23               THE PRESIDENT: I do not think it is. There  
24   is a question I want to put on behalf of a Member of  
25   the Tribunal. It is suggested that it is well within

1 the scope of it. The objection is overruled.

2 Q Will you answer, please?

3 A Outside of the border of the area in which  
4 the Kwantung Army was stationed, it is my personal  
5 estimation that there was a pretty large army of the  
6 USSR stationed.

7 Q Smaller or larger than the Kwantung Army?

8 A Not being an expert, I would not know such  
9 details.

10 Q Were the Soviet forces on the other side of  
11 the border reinforced or increased in the summer of  
12 1942 and later?

13 COLONEL IVANOV: Your Honor, from the previous  
14 answer it is quite clear that the witness is not com-  
15 petent to answer this question also.

16 THE PRESIDENT: The strength of the Soviet  
17 forces may be another matter entirely, Major Blakeney.  
18 He professes not to know.

19 MR. BLAKENEY: It is directed, of course, to  
20 credibility. He has given us his opinion of the Kwan-  
21 tung Army's intentions, and I assume that opinion must  
22 be formed with knowledge of what the potential enemy  
23 is doing.

24 THE PRESIDENT: I do not know. Well, it is  
25 a borderline question. I feel inclined to allow it,

1 personally. If there is doubt about it, we generally  
2 do. It is not easy to limit the scope of this affi-  
3 davit because of certain expressions in it to which  
4 I will refer later.

5 Q What is your answer?

6 A Is your question whether or not the USSR  
7 troops' strength after 1942 increased or decreased?

8 Q In and after?

9 A Although I am not very clear, I think I heard  
10 from somebody in the Kwantung Army that the strength  
11 of the Soviet forces decreased somewhat after the  
12 summer of 1941 with the outbreak of war between the  
13 USSR and Germany; but I am not certain.

14 Q Is that the best information you have on the  
15 subject, that you think you heard it from someone?

16 A That is the extent of my knowledge.

17 Q You can't tell us from whom you heard it?

18 A I cannot say for certain, but the information  
19 was given by some staff officer in the Kwantung Army.

20 Q Were you given any access to the intelligence  
21 files of the Kwantung Army?

22 A No, I had no such access.

23 Q Then you have no information about what  
24 intelligence the Kwantung Army had of Soviet forces  
25 facing the Manchurian border?

1 A No, I had no knowledge.

2 Q And you have no information, I take it,  
3 concerning the estimates of the power and intentions  
4 of those Soviet forces facing the Manchurian border?

5 A No, I had no knowledge.

6 Q So you really have no basis whatever for any  
7 opinion about whether the Kwantung Army was going to  
8 attack the USSR in 1942, have you? It is purely a  
9 matter of your own private speculation, isn't it?

10 COLONEL IVANOV: Your Honor, the witness was  
11 speaking about facts, and now the defense counsel  
12 demands that he draw conclusions. I submit that it  
13 is for the Tribunal to draw conclusions from the facts,  
14 and the opinions of this witness have no value for us  
15 or are of no interest to us.

16 THE PRESIDENT: I understood the suggestion  
17 of learned counsel to be that this man was merely  
18 speculating. He did not ask for any opinion at all  
19 so far as I recall; but the answer would not be likely  
20 to help in any event, Major Blakeney. The objection  
21 is overruled. But what the value of the answer will  
22 be is hard to see.

23 MR. BLAKENEY: I will be glad to leave it if  
24 the Tribunal feels so.

25 THE PRESIDENT: We will adjourn until

half-past nine tomorrow morning.

(Whereupon, at 1600, an adjournment was taken until Tuesday, 28 October 1947, at 0930.)